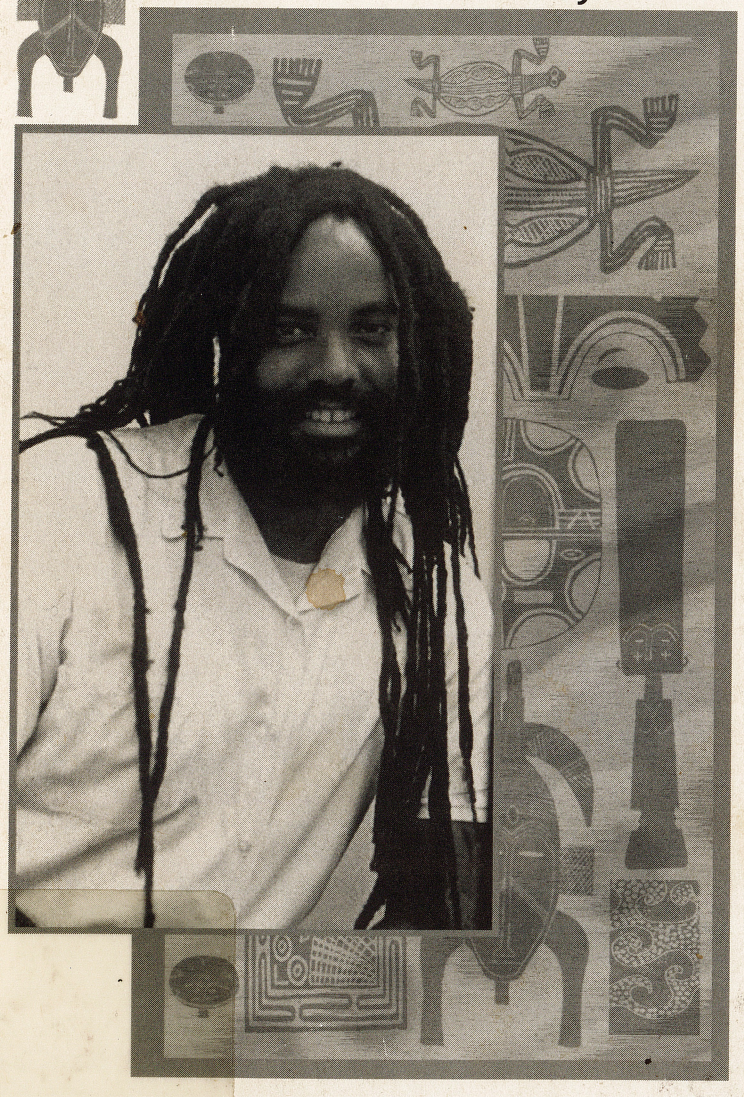
Schooling the Generations in the Politics of Prison

Edited by Chinosole



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Chinosole

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PREFACE

Through history, Afrikan people remember. Through study, we understand. But through heartfelt struggle, we achieve higher and higher levels of practice. The essays, position papers, narratives, speeches, interviews, conversations, and letters in "Schooling the Generations in the Politics of Prisons" *contribute to memory, analysis, and practice directed at the complete liberations of people of African descent.*

Political prisoners have contributed most of the submissions, including the internationally known liberated prisoner, Assata Shakur, who now lives in Cuba. As this publication goes into print, a death warrant has been signed to take the life of Mumia Abu-Jamal who is the focus of this book. To use his own words from the May 1995 publication of Live from Death Row, *he "walk[s] the razor's edge between half-life and certain death." (p. 5) Like Mumia Abu-Jamal, the artist, Erskine Johnson, is another innocent man on death row. He not only speaks but also enhances the journal with reproductions of his fine paintings. Others, well known to activists, include Dr. Mutulu Shakur, Ramona Africa, and Sundiata Acoli. Within these covers some, like Michael Thornton, speak in print for the first time, and others, like Sanyika Shakur, are known writers; his autobiography,* Monster, *was a best seller.*

Evelyn Williams, the lawyer and aunt of Assata Shakur, provides a long-range analytical and historical overview of the Black liberation movement, and Austin Long-Scott culls information from his earliest findings seventeen years ago as a reporter assigned by the Los Angeles Times *to the Geronimo ji Jaga case (formerly known as Geronimo Pratt). Today Long-Scott, a professor of journalism, informs his original findings with a post-Church Committee Report perspective. San Francisco State University student, Tunde Martins, speaks from firsthand experience at San Quentin, and editors, Cecilia Sutton and Tracee Wills, contribute essays on the Panther Party and on the increased militarization of the university campus. Wills recounts that a student body representative and activist, Quddus Archie, was called from his classroom, arrested, handcuffed, and returned to prison for a parole violation. The violation consisted of having earlier misbehaved in another class —a complaint ultimately dropped by the professor involved. State officials seem to feel safer with young Black men in jail than in college. Revoking this student's parole is in keeping with national and state crime bill legislation that prioritizes prison funding over education and delays parole. When Quddus Archie was released after six months in prison, the University banned him from attending classes; a ban in effect as of the beginning of the Fall 1995 semester. His struggle continues.*

Schooling the Generations in the Politics of Prison *works the magic of analytical practice through national and international dialogue. Sharing information and views is basic to networking among groups active in prison work. The FBI's 1967 COINTELPRO (Counter Intelligence Program) and more recent surveillance mechanisms being put into place through the 1994 Crime Bill and 1995 Anti-Terrorism legislation have inflicted high degrees of damage on all forms of*

community and national activism, especially around political prisoners. Defensive reaction to these laws and intelligence methods generates non-communication, distrust, and dissension. Consequently, Black groups exhibit greater fear toward each other than toward the forces dominating them. Although one of the most difficult kinds of coalitions is among Black groups involved in prison work, some groups have made progress. For example the New Afrikan Liberation Front (NALF) works toward coalitions of nationalist anti-imperialist groups. Nonetheless, the task of the future is to establish viable coalitions between Afrikan nationalists and Blacks in other groups. The freedom sought through these pages, then, is not only from the effects of U.S. policies of containment, but also from the direct result of low intensity intelligence warfare which spawns self-inflicted containment practices of non-communication, distrust, and fear inside Afrikan/ Black organizations.

Chinosole
Winter, 1995

The New Afrikan liberation struggle behind the walls now follows the laws of its own development, paid for in its own blood, intrinsically linked to the struggle of its own people, and rooted deep in the ebb and flow of its own history. To know that history is already to know its future development and direction.

Sundiata Acoli

MESSAGE TO MUMIA

ASSATA SHAKUR

The first time I heard a tape of one of Mumia's radio broadcasts, it was the first time I fully understood why the United States government was so intent on putting him to death. Mumia, the only Afrikan political prisoner on death row, didn't use any inflammatory rhetoric. What he said was so clear, so true, that I had to stop everything and concentrate on his message. Mumia Abu-Jamal, journalist, husband, father; he is brilliant. He has the ability to say what needs to be said in the clearest, most vivid way. His language, his strength, and his intelligence remind me of one man: El Hajj Malik Shabazz, otherwise known as Malcolm X.

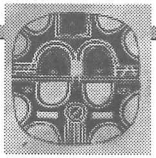
Mumia Abu-Jamal is a man who has truly carried on Malcolm's tradition, and the tradition of so many of our freedom fighters who have risked their lives for the freedom of our people. This year as I celebrated Malcolm's birthday, I couldn't stop thinking about Mumia. I couldn't stop thinking about the man who has spent thirteen years on death row, and remains strong, committed, and beautiful. Mumia, political activist, revolutionary, and humanist has followed faithfully in Malcolm's footsteps. We can feel Malcolm's energy working through Mumia; we can feel Mumia's energy carrying on Malcolm's legacy. If Malcolm X were alive today, I know he would be fighting to save Mumia's life. If Malcolm were alive today, I know he would be fighting to free all political prisoners. In the name of Malcolm X, I make a special appeal to you, Sisters and Brothers, to fight tooth and nail to save Mumia's life and to free him from the grips of his oppressors.

As you honor our forefathers and foremothers, I urge you all to honor our living heroes. When you honor the names of Nat Turner, Harriet Tubman, and Malcolm X, I urge you to honor the names of Geronimo ji Jaga, Sundiata Acoli, Mutulu Shakur, and Mumia Abu-Jamal. I urge you not to forget, and not to betray our living heroes. If we ignore their struggle, we are ignoring our own. If we betray our living history, then

we are betraying ourselves. We could not save Malcolm X, but we can save Mumia. We can save him and we must save him, because we love our Brother, and we need our Brother to help us fight for our freedom.

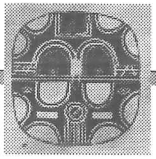
Free Mumia Abu-Jamal!
Free all political prisoners!
Let us carry on our tradition to freedom.

Assata Shakur
Ex-Political Prisoner
In exile in Havana, Cuba
(Summer of 1995)



I have been locked by the lawless.
Handcuffed by the haters.
Gagged by the greedy.
And, if I know any thing at all,
it's that a wall is just a wall
and nothing more at all.
It can be broken down.

from *Affirmation*
by Assata Shakur



SCHOOLING OUR GENERATIONS

A Conversation with Mumia Abu-Jamal

by Chinosole

Huntingdon Prison, July 13, 1994

ON UP AND COMING GENERATIONS

Chinosole: I have a lot of hope for the young people. You know, I work with young Black people, and I work with all young people, but, I have a lot of hope because they're unlike us; they are more cautious, and they are a little cynical. So when they do get committed to something, they're really on it. Not like, jump into something with your whole heart and then see all these warts on all these leaders and go "achh!" They already are pretty savvy in terms of not giving their full credibility to anything, but I have faith that they will pick up.

Mumia Abu-Jamal: What did Fanon say? Every generation must find its own task, and fulfill it in its own way.

Chinosole: Um hmm, and it's worth the energy. I mean, I've had many disappointments from it, but it's worth the energy.

Mumia Abu-Jamal: What else is there? That's the river . . .

Chinosole: Yeah, that is the river, right?

Mumia Abu-Jamal: That's it. When I meet younger guys coming up, most of 'em all they want to do is talk about their life experiences, what they had, their property. And I ain't got no rap for that. I don't want to hear about how long your car was, and how much dope you was peddling. That ain't important to me. You know, what they call in colloquial prison terms, "long shoe shit." "Hey man, I was wearing this . . . " You'd be surprised how many guys, because first of all, they don't want to acknowledge this reality; so they flee back to that time when they were something, and because they had no internal stuff to hold onto, they deal with the material. This is a materialistic culture, and we're graded on how much material we got. How much patronage you have, how many women did you have, things, property. 'That

ain't important, man, what you got now?'

John Africa teaches that everybody can't do what MOVE people do. Everybody can't stand up there and take it, take the repression of 3,200 years. They ain't ready for that, but everybody can do something. Some people can only do filing and typing.

Chinosole: That's the most important lesson for an organizer. You're not judgmental, you're not self-righteous, 'cause lord knows, in the late '60s and early '70s, this was one self-righteous person (laughs), and you don't organize well that way. But if you let people do what they feel they can do, hey. And that human contact you're talking about. You gotta school these brothers as well as you can.

See what I'm looking for is amnesty for all political prisoners. Now how do you make that something other than rhetorical? You have got to organize your base community, which is semi-organized already, because they're trying to imprison every young Black man in America.

Mumia Abu-Jamal: They're like the grandsons of Marcus, and the sons of the Panthers, and of Malcolm. And for real, for real they're on top of how this thing is. They need to be told things. If they could ever organize half of what we organized, they would have an impact four or five times what we did. We were learning while we were doing. We didn't have no godfathers. We know how to make mistakes, we made a couple. And unfortunately we were never generationally augmented, because the Party really didn't have no elders. Elders were terrified of Huey cause 'you're gonna make these white folk's mad. What you talkin' bout 'offin the pigs?' And so they couldn't stand with them. They couldn't stand with 'em and say 'Dig this man, check this out.' And we all need our elders, they're a human resource, they came into this creation before us, to put this thing down for us. I mean, in terms of imagery, look at the rap group, Arrested Development, that's the beauty of their imagery and their youth, but in the background there's an elder sitting there.

ON THREE STRIKES YOU'RE OUT

Chinosole: Now part of what the media's doing. They throw out these phrases, three strikes you're out, and they never fully explain that a felony means that even if you were with a person who had a gun, and you were never gonna kill anyone, but rob a store, that's violent felony number one.

Mumia Abu-Jamal: You got it.

Chinosole: You talk about the delayed effect? That's something I didn't quite catch. You said, because that's the range someone arrested today would face already under state laws and the additional time, not to mention the costs, that will trip in then.

Mumia Abu-Jamal: What do I mean by that? It's like even in the absence of a three strikes bill, the range of time that someone could face for robbery or rape or whatever, they've already got that. Unchanged, they have this range. I mean, we cannot by any stretch of the imagination believe that people being arrested for robbery or something

don't get any time in America. They get time in America, they get serious time. But what is not being factored into this, is the time they would've gotten anyway, over and above this new statutory regulation. So that the time, in terms of the cost, the additional time . . .

Chinosole: . . . that people are already serving on two strikes.

Mumia Abu-Jamal: Right. Not just in . . . like Pennsylvania, the Pennsylvania legislature —to give you an example of how (I keep coming to this word because it's so, I think, politically apt) 'myopic' politicians are in Pennsylvania. They've got a three strikes you're out bill right now, they've got two in committee they're rumbling over. One woman introduced this bill that listed fourteen or eighteen offenses, and another legislator came in and broke it down to eight offenses. And his thing was "cost." He said 'If we go with your fourteen then the state will be paying an additional twenty seven million dollars each . . . and we can't afford it!' We don't give a fuck about human life, but we care for our dollars. So that got rape, murder, armed robbery, some other charges, maybe seven or eight charges. The point is this, that under Pennsylvania law for the last thirty years or so, since 1972 at least, if you have third degree, and you get a manslaughter, you got life. In Pennsylvania, there is only life for first degree murder, second degree murder, and if it's a second or third murder, you got life already. Life with no parole, life 'til your heart stops beating if you live to be 76. That's how it is now. So this is what I'm saying, that the legislator that is throwing out the idea of a three strikes you're out bill, would be adding a strike that is duplicative. What do you do, you gotta have three now, you gotta have three, when at the second, you're dead?

Chinosole: Right, and it's like states' laws, or states' rights are driving federal laws as opposed to federal laws making state laws saner. They are driving federal laws to the right.

Mumia Abu-Jamal: One thing in reality that we cannot ignore that's part of that formulation is, of course, that the attorney general [Janet Reno] was once the Dade county attorney general, a state official or even a county official. And [Clinton], the President of the United States, was once governor of one of the most measly, grubby states in those days. So in some respects they still think, they still have an echo from their state experience.

Chinosole: That's true.

Mumia Abu-Jamal: There's an old saying in the law, that federal law sets the ceiling, and state law sets the floor. It's no longer the case anymore. That three strikes you're out stuff, it actually started in the U.S. Congress, Governor Pete Wilson, that's out of California, and Giuliani out of New York, and up in Connecticut, and Massachusetts; so you had governors running for re-election talking about . . . what's Pete Wilson say, "not three strikes, two strikes!". You got another dude saying "Uh, One strike!" What? —are you gonna play? Ball, one foul! The footballization, basket . . . baseball . . . this

sports metaphor for life. And it's madness, but it's madness driving madness, because again the cost of those bills won't kick in for fifteen to twenty years, because those are the ranges of times that people would have to serve now. I think, the Sentencing Project has done the actual data, but it might be 48 or 42 states that already have a Career Criminal Statute. So, if you got a certain number of felonies, in some cases two, you know two violent felonies, it aggravates any sentence you get for this new crime, so you're stacked.

Chinosole: It's a cumulative effect.

Mumia Abu-Jamal: That's how it is now. If no law in America changed today, that's how it is now. So that most dudes getting their second or third conviction now are out of the box for fifteen or twenty years already. That's what I mean when I say that the costs will not be gauged until they finish their range of time, if they would've had no three strike existence. What politicians know is that this thing is driven by economics, and that becomes at some level a threat. Do you know who's talking more and more in Pennsylvania about community corrections and bringing less people into prison? Do you know who's saying that now in Pennsylvania?

Chinosole: Who?

Mumia Abu-Jamal: The Commissioner of Corrections. He's not a politician in that sense . . . but he's saying the shit's crazy. He's saying that, because he knows that there's a threshold beyond which it becomes politically unpopular even to the most right-wing demagogic populace ever. They are paying for prisons, and every dollar they spend on prisons is one less they can spend on schools, one less they can spend on health care. I like to make a joke that the only people in America who get guaranteed health care are prisoners. So, unfortunately, the only thing that will move these people is not life or death or blood or suffering, but money. Their god.

Chinosole: . . . the only thing they respect.

Mumia Abu-Jamal: The only thing they respect.

ON EDUCATION

Chinosole: I just read something in the *Washington Post* a couple days ago, it was an editorial. They were talking about the prison situation, and again the analogy of an object representing the pain of whole groups of people. A congressman said that if you have a bicycle in your closet and you're running out of room, you have to take the bicycle out so you can get your clothes in. So that was an argument to get rid of people who go into prison for drugs, for use of drugs. Don't have them in prisons, store them someplace else. But it's money. In California, they made the decision that rather than fund state run universities they will ask the students to pay more, so that those middle class students who can't afford private schools which have become sky high, can go to the state schools; and the poor people who

fought to have open enrollment (I was part of that in '69), they're not in at all.

Mumia Abu-Jamal: They ain't in the game.

Chinosole: I mean within a semester's time, the officials will announce next semester's tuition —'fees,' they call them but it's really tuition— will be tripled.

Mumia Abu-Jamal: How much is it?

Chinosole: It's like $1,000. At one point it was $250 to go to school for a semester, you know, to take your courses, and now it's jumped up to $1,000. So Black enrollment at San Francisco State, which is traditionally the most radical campus, goes down, down, down. You can't protest any changes in curriculum, 'cause you have more white students from Southern California who couldn't get into Dartmouth, who are coming up here to get away from home, and you're talking this talk about protest to more middle class students.

Mumia Abu-Jamal: You're out of here. I mean, our people. What was that I read about the Malcolm X mural, that was out there.

Chinosole: Yeaaah, that's one of these things where you have the nationalists and the pan-africanists fighting the integrationists, liberals and leftists. You have this situation where people who went through the civil rights movement and then joined with the white liberals and leftists. To me, their basic line is really that liberation is the social and/or economic integration of all kinds of Americans. They may be heavily pro-Jewish liberals, pro-Israeli, and even pro-Zionist. Then you have people who are staunchly anti-Zionist, like the followers of Kwame Touré, but easily accused of being anti-semitic. To contrast the nationalist/integrationist difference, you can cite, for example, like Assata who developed mainly out of inner-city politics. Like my family, we could ride the busses and the trains right up front, but we still didn't have shit. So the idea of integrating, except for the question of access to jobs, education, and resources, was a less important objective.

With the mural, you had Pan-Afrikan and pro-Black Muslim sympathizers ironically upholding a free speech platform by having the right to include as a minor part of a mural on Malcolm X the painting of a yellow star of David with a dollar sign inscribed in it as a starkly anti-Zionist statement. To me, this was a dumb, dumb, dumb move that damaged intra-Black/Afrikan coalition building in the Bay Area. This is the type of error the FBI would pick up on and foster in the media. The whole thing was disruptive.

Prior to the mural, we have many Black and Palestinian students who work together. I work with Palestinian students and Black students closely, and I had to get out of there for awhile, go on leave, 'cause people were attacking me from all sides. Undercover surveillance is intense; provocateurs rampant. I had to go on leave, get out of there... you know, a moving target is the best thing, right? So you have a group of Black people doing something the Black Muslims might decide to do around the Jewish issue, and they're

young students. Along with them you have the anti-Zionist and pro-Palestinian Black groups. And then on the other hand you have a case of a pro-Jewish, Black woman professor who never raised her hand to sign any kind of political petition I know of, going up to destroy the sign on the mural in protest against the other Blacks. According to nationalists and news accounts, she had been in the Panthers in D.C. which nationalists say had a lot of whites in it. The school magizine even put out that Bettina Aptheker, a well know revolutionary, was a Black Panther. It was in a campus newspaper, and some nationalists explain the Black professor away by saying the D.C. Panther branch was all white anyway.

ON THE BLACK PANTHER PARTY

Mumia Abu-Jamal: Look, the Party had uh, you know, branches and chapters for Panthers. After and before we had the RPCN, the Revolutionary People's Communications Network, and the conference at Temple. It was also co-sponsored by what we called the United Front Against Fascism. There were NFAF's (National Fronts Against Fascism) that were organized as like Black Panther information offices in white communities where whites could go and get Black Panther newspapers, buttons, propaganda. A support network in white communities, see what I'm sayin?

Chinosole: That makes sense, too.

Mumia Abu-Jamal: Made good sense. Hey, at one time the Black Panther paper was the most widely published Black newspaper in America. We beat *Muhammed Speaks*, everybody. In fact, it was being read around the world. But our members were Black . . . Dig this, there was a White Panther Party.

Chinosole: . . . a White Panther Party?

Mumia Abu-Jamal: They had a Panther Party headed by this guy named William Sinclair in Akron, Ohio. We used to get their literature. They used to mail it to headquarters. They were not affiliated in the least with the Black Panther Party.

Chinosole: So, but this is like, goin' out like wildfire, and like, and when you, O.K., so that's really, I mean somebody's really pushing that lie about White Black Panthers now.

ON SURVEILLANCE

Mumia Abu-Jamal: The point that Geronimo made is that when he was rolling as deputy minister of defense for the L.A. chapter, he had no idea how intensely interested the government was in stopping his movements and destroying him, not just him as a person, but the Party. You know, we didn't see ourselves as they saw us. You understand what I'm saying?

Chinosole: That is the thing. Anybody active in the '60s didn't understand . . . that it was being interpreted.

Mumia Abu-Jamal: Yes. We just didn't talk about freedom of religion and all that. But for real, for real, you and I know, you don't got to be a history professor to know that if a Black man spoke freely he lost his life in America. You got free speech, you got the right to die, that was a reality.

Chinosole: That is a reality. And we knew it on one level.

Mumia Abu-Jamal: Did we forget, I dunno? Maybe it was the era, the time, the youth, the hormones. I don't know.

Chinosole: But if you would have thought about it then, you would have been like your parents.

Mumia Abu-Jamal: Yeah. Paralyzed. Plus, the times demanded that. The Party didn't exist in a vacuum. The empire was in trouble in Viet Nam. You had emerging nations in Africa coming, stepping up to the United Nations. You had Black people all over this earth rumbling for their freedom. You couldn't dare sit down and be still. And it was still the eddies and the waves of the civil rights movement gathering force and energy that propelled us forward. So it was time where you couldn't sit back and be cool. Cause you couldn't be cool. It was hot. And so we had no idea of the forces we were unleashing, the repressive forces. We knew what it was, we didn't know the depth. There were many of us who saw it as cop shit. We didn't see FBI, we didn't see COINTELPRO until years later. Damn! It's like that?! 'The most dangerous threat to internal security.' It was like that.

Chinosole: But if we knew it then, and I wasn't in the Panthers, but I knew a lot of Panthers; so . . . if we knew it then, we would maybe have been a bit more serious or . . .

Mumia Abu-Jamal: . . .we would've persevered. You see? We coulda got through this hump. It's like, I say all that stuff to say this, that the one thing that we can never forget, those of us who have an historical perspective now, look back and say, dam. They knew what it was then, perhaps better than we. And that's why they work on levels that we cannot even perceive to destroy those little ribbons, destroy seeds growing and their shoots. When you talk about the security boys at San Francisco State, they're working —not just there but everywhere— to destroy, and to disseminate . . .

Chinosole: And you get paralyzed to a certain extent because nobody believes anybody . . . You don't know who to believe, and you have to just stop.

Mumia Abu-Jamal: That's the function. I mean, one of the things that the FBI did was let people know they were there. I remember when the Party first organized in Pennsylvania, we didn't have a hall. I was putting out leaflets and using my home phone. I was living with my mother, I was fifteen. At that time the unit was called the Civil Disobedience squad. I sensed that the dude was a cop. I knew exactly what his

thing was, but I told him I had nothing to say to him. I'd been trained not to talk to him, so man, I ain't got no rap for him. So he hassles with my mother. My mother came from the fairly deep South, never been in trouble a day in her life. My father was alive at the time, lived with us. But she talks to him, and he [the police] tried to scare her, and scare me through her. 'Your boy is gonna get in trouble. This ain't no game. We're watching, they're putting up their little communist thing.' You know, threw that stuff at her. If he knew her, well he did know her, he was a Black cop. But if he knew me, he never would've tried that cause when I was committed to something, I'm gonna do that. I'm a take an ass whippin' if I have to, but I will do that thing? That's gonna get done. And the Party was one of those things that was gonna get done. Caution wasn't part of my make-up at that age. But here's the point. My mother's dead, my father's dead, but I never told them. I listened to what he was saying. He said, essentially, but in a more threatening tone, 'If you hear anything, call me, here's my number . . . trafficking in weapons . . .' Again, throwing that out there. You know soon thereafter we organized an office. I was able to move out and move into the Party office and go to work. The point is that even then they were trying to disrupt human relationships, to inject fear and terror and to give the illusion that they were under every rock. But because of the rashness of youth members, it was 'Straight up what we're doing is right and you wrong, I'm doing this.' All power to the people! Right on to the right people.

Chinosole: What they couldn't contain they had to destroy early on.

Mumia Abu-Jamal: And that's my point, every expression of Black youth consciousness that they cannot profit from directly in economic terms, they stifle and destroy. They stifle and crush and destroy. Like that mural. They got a controversy. It was a small tempest in a teapot kind of situation in Pennsylvania. Young brother coming, Tupac Shakur, supposed to be a concert. The city, the concert pulled the plug, 'You represent such and such.' Just reneged on his contract. His promoter loses something like $16,000 to $20,000. He can't perform. This is the birthplace, the embryo of the first amendment for free speech. But if they don't like your speech, and you try to get it out. Know what I mean? And you know, again . . . in order for something to manifest itself on this level, it's gotta manifest itself in the kind of conditions we talking about in . . . in ideas before it manifests itself in reality. They want to destroy the ideas. They don't want, uh, the Black Panther Party to be reborn, or anything remotely like it. Now if you want to talk about organizing Martin Luther King, Jr. festivals, well you can do that. You wanna, you know, like you said. You wanna do something that's integrated and safe —but following someone else's direction— you can do that, too. But you can't do nothin' that comes from your soul, from your spirit, from your history, from your people, from your blood. You can't have that, 'cause we can't control that. It's too Black, it's too strong. And we ain't gonna have it.

But see again, one of the things I've learned, just in my short duration of life is how we can do things organizationally. But if we can't stretch out on the very human lines to continue to refurbish and rebuild . . . I mean the reason why they bombed MOVE is, of course, to obliterate the belief from spreading further. But also, they had a very

pragmatic direction in there. They wanted to destroy those beings. They knew, believe me. If you ever read anything that Ramona Africa wrote . . . Every day, every morning at daybreak MOVE people would go out, sisters and brothers and kids would go out to the park . . . play in the creek. Kids, you know, kids weren't sent to school. They weren't exposed to television; they were exposed to the teachings of John Africa's life. So the cops knew; they came out with, 'Well, we wanted to protect the kids' and all that. One cop, the police commissioner who was part of that bombing said, 'Well, we consider the children combatants, too.' He really said that. I mean in no uncertain terms. He wasn't lyin', because they were being trained to be MOVE members. To be strong and committed here. What we did not do as a party is reproduce ourselves. We, we failed the first law of life, of nature, to reproduce ourselves.

Chinosole: Even in the lifestyle of the individual, you know, generating, re-generating processes were not there. Self-destructive processes were there.

Mumia Abu-Jamal: Oh, it was. 'Cause that, that took ascendancy over the life enhancement principle. And it's like, did the party try? Yes, the inter-communal institute [in Oakland], yes. But that was organized, uh, more, uh locally than nationally.

Chinosole: And it was late wasn't it?

Mumia Abu-Jamal: It was late! At the time it was organized, there was no East Coast, so half the party had been decimated, you know. You know, Elaine Brown took control of the Party. And so, she, you know, did her thing to the best of her ability on the West Coast, but no entity, no agency can exist without its base, its foundation. The basis of the Black Panther Party were of course Black people. And the most militant population of Black discontent in America came from the East Coast.

Chinosole: That's a fact.

Mumia Abu-Jamal: Because it's true . . .

Chinosole: I'm from New York, so I don't have any trouble with that.

Mumia Abu-Jamal: I might be a little biased, but it's reality —I went to San Francisco, you know we were going to California. And here's a young boy from North Philly. I'd grown up in the projects, as a party member, been around all of Black Philadelphia, doing work. So when they transferred me to New York, I saw one thing. When they transferred me out to California, it blew the top of my head off. I remember, like, askin' dudes, um you know, we ridin' around. 'Hang on, where's the ghettos at?' They took me to Hunter's Point in San Francisco, an' I'm seein, what to my eyes look like some damn good houses with land in between.

Chinosole: Uh, huh grass and all.

Mumia Abu-Jamal: GRASS? Two floors I'm lookin' at that thing, 'Like, nigga... please.'

Chinosole: You know? I say that to this day.

Mumia Abu-Jamal: This the ghetto?

Chinosole: There's no comparison.

Mumia Abu-Jamal: And he lookin' at me like, 'Damn that is real fucked up. Ain't it, Blood?' I liked to have a heart attack. I said, whoa, we ain't goin' to Harlem! And I —I worked out of the Bronx. And there was some rough stuff in the Bronx.

Chinosole: Oh, yeah. Oh, yeah. I'm from the Bronx, I know.

Mumia Abu-Jamal: Wooo . . . we got used to, um, we lived, uh in a Panther pad in the Bronx, not far from the office. The Information Ministry was on Boston Road in the Bronx. And we got used to gettin' in that shower, and the water just (snaps fingers) just come on, and you had to jump out of that thing real fast. Turn it off, right? —because that water would change temperature (snaps) like that.

Chinosole: Without warning.

Mumia Abu-Jamal: Without warning. You know, you'd hear a little thump. That was, you ain't, couldn't fake it —you had to jump out that shower. Turn it off, right? And, you know, I remember going to . . . When I went to New York it was spring or summer, and I, I was there for about six, seven, eight months. Turned winter and back to spring, then they sent me out to San Francisco. But I remember getting to the Bronx in the spring, and walking down the street, sellin' papers, and you know, somebody's sayin'something in Spanish. And you lookin' up, movin' out the way, and a bag of garbage is comin' at you. They weren't throwing it at me, "Yo, we gonna get you, 'Black Panther.' That's just how people got rid of their garbage. They opened their window, and threw it out there. You know, go for yourself. It's out the house. Damn! I remember walkin' through Brooklyn, and seein' blocks, where there ain't nothin, I mean just, you know, lookin' like World War II. Damn! You know REAL stuff. Then I went to California, I was always curious about the forces that gave rise to a Huey, and Eldridge, and Bobby.

So perhaps it wasn't meant to happen but —to take from mistakes and build for the future . . . we took our lineage from Mao. I guess in a more distant sense we perceived ourselves as the great, great, great grandsons of Nat Turner. Nat Turner's rebellious pickaninny great, great grandkids. So it's important that kids today understand that for better or for worse, they are our lineage. And to understand what that means on a human scale, on a human level, is to understand the history of individuals who are now perceived and known as African Americans, Black, MOVE political prisoners. I think those histories are important because

they serve to do two things: they again take us back to humanizing people, but they also take people off these ridiculous pedestals.

One thing that Mao said that stuck with me over years and generations is that the youth make the revolution. They truly do. And it is their natural function, because if you look at the world even through the closed door of the discipline of psychology, youth must prevail against parents at some age, because that's part of finding out who they are. If we could harness that natural power, and put it in a positive direction, as the Party did, as the Nation did in its time, as even the Christian Leadership Council. Reverend King used all of those forces, utilized natural forces to achieve political aims and objectives. We can't be nothing other than what we are. And those kids will be kids. And the power that they have. It's like, think about when you were sixteen. Didn't you think you would live forever? Nobody in the world, your mamma, daddy, your grandmamma couldn't tell you nothing.

Chinosole: Unlimited energy.

Mumia Abu-Jamal: Unlimited energy. That's the force that the state tries to arrest, incarcerate. Those are the people. Dudes coming into jail, they ain't my age when I got arrested the first time. They young people. They're talking about criminalizing Blacks, and locking that force, that power, down forever. Because they fear its power, its potentiality. If they had direction, they could be five times greater than their uncles and their fathers in the Black Panthers. They could shake this thing down.

Chinosole: That's a fact. I believe that.

Mumia Abu-Jamal: I know that. Because it's more of us now than there was then, and they have seen in their own lives, not in a book, not in the red book written by Mao Tse Tung, not in the *Wretched of the Earth* by Frantz Fanon, but in their own everyday lives, in their neighborhoods, a level of oppression that we were not exposed to. They've seen how people, good people, have been thrown out of their homes, how their empty houses in neighborhoods all across America and people living in the street. If that ain't a crime that singes and shocks them. That's why they sit up. They know this shit ain't shit. They know it ain't right; in their guts they know it ain't right. But once their rage is greater than their fear, then no force on this planet will contain them. After L.A. they said 'we ain't going there. Lock em up, kill em, throw em out they houses. No jobs! You can be a prison guard or a cop.' What are they telling us through their culture? The movies they make, the biggest Black stars, what's the first thing they do to em? They turn them into a cop. They give em a million dollars, A MILLION DOLLARS! Like Wesley Snipes, he'll play the lead. Like in *Passenger 57*, this . . . where he was like this secret agent type cop. They take these young brilliant actors and actresses and place them in poses of being servants of the state and the system like it's the greatest thing in the world. Like this ain't the same system that decapitated Black America in the '60s and the '70s, that put tapes in the bedroom of the Reverend Martin Luther King, that executed Fred Hampton and Mark Clark, that bombed and destroyed and dismembered men, women and children in the MOVE organization. This is the

same police force, the same system that kicks everyone in their ass for driving a car they don't think you have the money for . . . 'What you doin wearing that three piece suit, nigger? What are you doin in that BMW-UP AGAINST THE WALL'

Chinosole: That's right, they'll do it in a minute.

Mumia Abu-Jamal: The same system, that's the same system that they're defending, that they're representing, that they're being law enforcement for. Where do they get off being the law? So those kids if they can be shown, like, becoming stuff that's in their true history, that talks about Sundiata, that talks about Geronimo ji Jaga, that talks about Delbert Africa, that talks about a Ramona Africa. Let these kids know that they're nice people. If you get to know them as people, they'll take it from there. They don't want the political. We were political, because we were the first generation that were overtly political independently. We needed the mass line, we needed the party line and the mass line and we needed the ideology. We needed that to feed our intellect. Their intellect is already there, and it's acute, it's sharp. So we can focus it like a water hose, or like a machine gun and nothing can stand in our way.

Chinosole: And it's really trusting that young energy, not that they're gonna go exactly the way I would've gone, exactly the way I would've done it. And then being there as a reference point, information, um . . . I definitely believe in that.

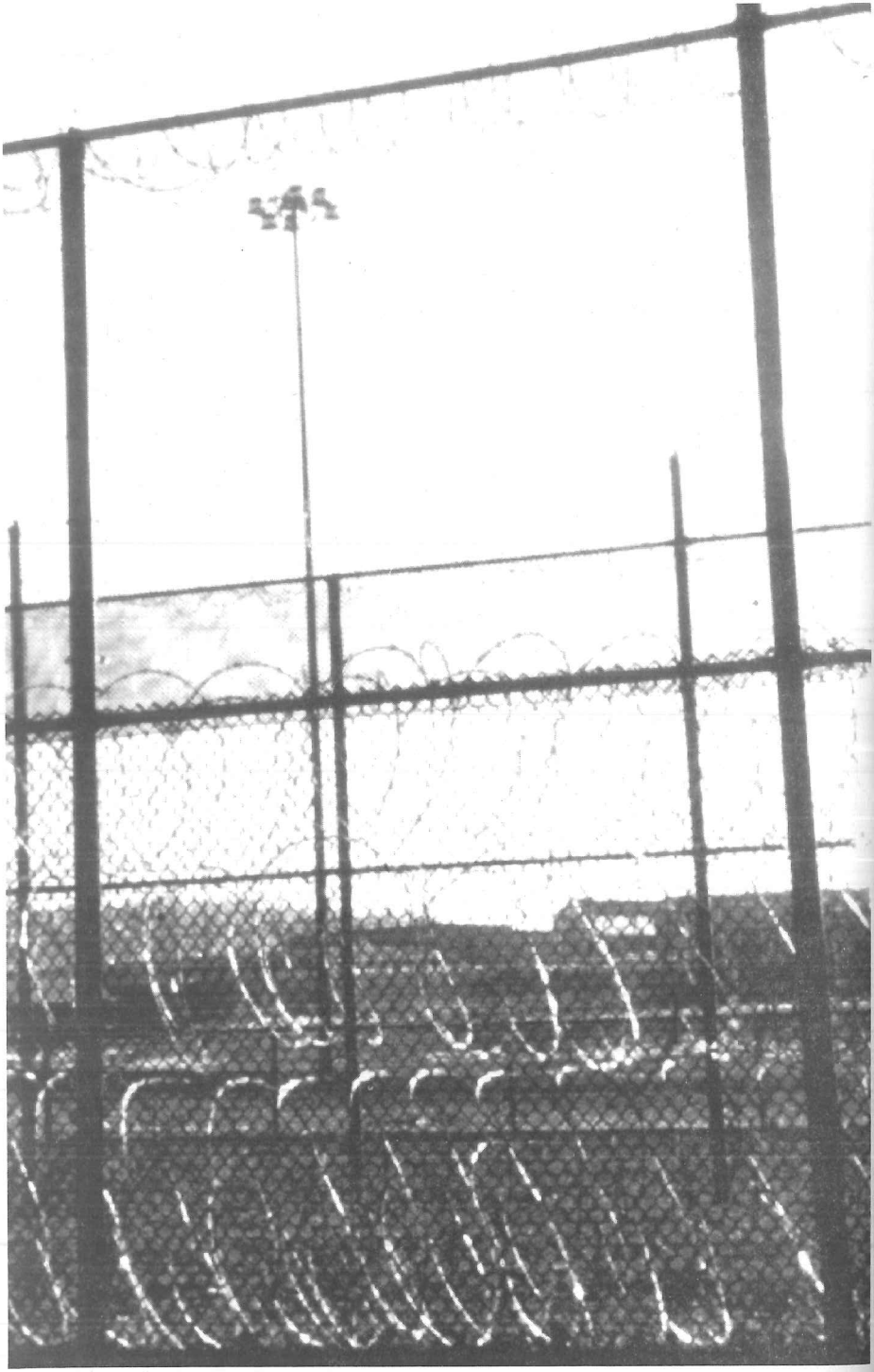
Mumia Abu-Jamal: We can't, no matter how hard we try, we can't restrain that force. It's unnatural.

Chinosole: Just believe in it.

Mumia Abu-Jamal: We must. They are us. And one thing that repression does, Fanon teaches that oppression unites and binds people. Almost against their wants, they don't want to be united. But repression is so repressive, on the one hand, now what they're doing with this new 'multiculturalism' is say 'you can be a cop, you can be the police commissioner, you can be commissioner of corrections, you can be that. Or you can be in a prison.' But those aren't your only choices. You can be a rebel against it all. You can rebel against what you see as repressive, what you know is wrong. I don't wanna be a cop. I don't wanna spend 30 to 40 years locking people up. I ain't into that. And I'm sure there are hundreds of thousands, if not millions, of kids thinking that every day. They see it, "I don't want to lock my brother up. I don't want to lock nobody up. I want a new, truly free world." And it can be done, it can be done.

[On the loudspeaker . . . "The visiting yard is now closed, the visiting yard is now closed."]

*Stylistic editorial comment: For transcriptions we have chosen to use single quotations unless the speaker was reading from a text. ◆



LETTER TO MUMIA

Chinosole

July 25, 1994
. . . heading out of New Hampshire

Dear Mumia:--

I know I keep threatening to temporarily halt my writing until August, but you have been on my mind all weekend, especially since reading Evelyn Williams' Inadmissible Evidence *that you recommended. I've already ordered the book for my course on Incarcerated Women. It's a sweltering day in New Hampshire. All summer it has been unusually hot and humid here. So my recovery from the driving and the stress of the visit took four whole days, and I am just getting back into gear. I can't believe how my aging has slowed me down. This is not said in despair or defeat, but pacing myself requires realism in this regard. It's like the old folks used to say, 'Girl, you better learn how to speed up in your head and slow down in your legs.' It has taken 52 years for this adage to sink in. Improving my health gradually, and as it fits into my life rhythm is a major project this year.*

But to get to two points at once: my abrupt departure and this book. For one, brother, I'm like that. I can be abrupt in behavior and motor control when my mind and feelings are speeding. I saw, however, that you are just the opposite. How can anyone have such grace in hand movement and gesture with handcuffs on? You never missed a beat between word and gesture. And when your hands couldn't do what you needed to do to emphasize a point, you used your whole body, stretching full-length and sideways with your legs across the narrow table —springing to your feet, up now on the table, commanding it as your platform. I sat looking up, then sideways, then face-to-face behind the plexiglass, steel, and wire screen separating us. Brother, you are something else.

Anyway, with me it's different. I am not a physically expressive person. I must repeat an old saw, so that you can mesh the two points of my departure and the book. Well, as a 52-year-old menopausal woman, my period comes sporadically, often with no period at all, though my body plays the same rhythms to which it is accustomed.

Photo Left: by Noelle Hanrahan
Super Max Prison: SCI GREENE
in Waynesburg, Pennsylvania

Now, as the time of our interview drew to a close, my period that had almost stopped entirely for months started coming on me with the force of a nineteen year old. So I had to make a quick and not so graceful retreat. Though also in the back of my mind, I was thinking I like to choose my battles; and since I wish to visit again, I didn't want a hassle over wearing out my welcome with the prison authorities. I had gotten what I came for.

When I walked out of the front yard to my car, I looked up beyond the tinsel glimmer of the aluminum barbed wire encircling the prison wall to the tower on which was perched a soldier dressed in camouflage seeming to train a rifle my way. I remembered the extreme nervousness of the guard that wrote me in. How many times he had to phone someone and check every detail. I remembered the thoroughness with which I had to partially remove my clothes: shoes, bracelets, earrings —hand my tape recorders over for inspection. 'No, you can't take two tape recorders in, only one.' Go in and out of the metal detecting archway several times. Pour loose change out of my pocket. I was anxious. I was engulfed by anxiety that was generated not mainly by my own fears, but by the high level of destructive alertness of the system. I tried to laugh it off when I told my relatives in White Plains this story afterward. 'One would think I was a terrorist or something.' They stared at me in disbelief at my naiveté.

My high state of alertness was generated primarily by all that energy you exude. So vibrant in the face of death. You cannot be contained. In your most recent letter you said you were "up" after the conversation. Well, so was I. But this alertness to the readiness, and even eagerness of the system to eliminate me reflected in the guards' nervous and careful treatment, and that alertness generated by one of the most important discussions of my life I had just had with you, were followed by depression as my car dipped down from the hillside into the row of motels and gas stations in Huntingdon and then to Chambersburg. The alertness heightened into panic by an unfamiliar orange warning light on the dashboard of my rented Toyota signalling "O/D." I dared not get out of the car and go into the gas station to inquire what it meant in this all-white rural enclave at the edge of the day. The car was running fine... wasn't it? Someone fucking with this car? I got out, looked around: O. D.'d? No oil drain ..."overdrive?" —now, what does that mean? Tires are OK. Shit, I got back in and took my chances. Made it to the motel and bought myself a birthday cake and candles, and thought about you and the hard road ahead. No time for rest, but we must rest to endure. There must be balance.

But to get to the book, which I have just completed. Evelyn Williams describes Assata's escape as registered in official accounts. Two Black male visitors come in; 'criminal' (Assata) escapes in a getaway car with the help of a young white woman. The visitors had African sounding names like me. Only I wore red to blind all with the intensity of my commitment. The officials at Huntingdon were psyched up for a replay of the '79 escape. God, they're unimaginative.

I saw so many connections with the book. The same charges all the time: cop killed by a badly wounded panther. Like the video the Simi Valley jury saw, another Rodney King assaulting the police. Because Williams' struggle is so like my own in the throes of everyday bureaucracy, the book lends clarity to my sense of positioning and potential contribution in the face of internal differences over the extent of cross-racial

cooperation, in the face of all those Black Judases. We must resist the attempt to be silenced by Rico frame-ups. We have grown so cautious that our thought waves get jammed.

That is why the double-exposure of the racist injustice system of Assata *and* Inadmissible Evidence *is so timely. Anyone who wants to know can. Only with understanding can meaningful action ensue. And those of us who think we understand, must speak, realizing that speech itself invites elimination. You won't be getting anymore constipated letters from me. If we speak the truth with the passion with which we understand, and pay the price of acting in deliberate ways on what we understand, then a movement must re-emerge.*

***

Now, if my role is to speak, I cannot be intimidated into watching every line that comes out of my mouth, can I? Or hiding from the powers that be what I am thinking? The force of the truth is so powerful, that if you or anyone else acts on it, it will have an impact. Now, I'm sounding like John Africa. So if there are Judases among us, and there always are —or even once loyal people like Solomon Brown, the Panther who cooperated with the FBI in an about-face, I must still reach out for support and take chances. Yet if my mode of behavior is based on distrust, how can I convince people of the truth? How can anything change? We'll be afraid to speak, and so acting is out of the question. Besides, the fewer secrets you have, the less you must remember what to say and what not to say. Assume they know everything, but plan so that even that knowledge will not impede the movement of our people toward justice. That will be my mode of operating. Remember, the improvisation of jazz is based on a known musical score in many cases. The man may know the score, he may even have written it; but he can never anticipate the next note or dance step.

Williams writes about her burnt-out phase: "My mother reminded me of her lifelong advice not to accept blame for consequences that I bore no responsibility for creating." (218) During her visit home, so much of what she said about the past was undergirded by blame. We did not create COINTELPRO. The clue to our effective response to COINTELPRO lies in the refusal to be silenced, remain paralyzed, ending up eliminated psychically and physically. COINTELPRO cannot be made manifest to large numbers of people unless we test the limits of what can be said by saying what we must say to get something done. The seeds of COINTELPRO's demise are in its need to keep suppressing speech, such as when National Public Radio refused to air the commentaries you were contracted to produce for them. Every time it does this a pattern unfolds of repetitious mindlessness, so that more people can observe and assess its limitations.

*I couldn't go to the National Association of Black Journalist conference in Atlanta. I hope you understand this. *It does not mean I am not fully committed to your release.*

Power to the People. Power to ALL people.
All life IS connected. Ona move . . .
Love in creative revolutionary struggle,
Chinosole

**In August, 1995, NABJ reluctantly but significantly lent support to the growing international demand for a new trial for Mumia Abu-Jamal.*

THE DEATH WARRANT

An Interview

A supporter interviewed Mumia Abu-Jamal by phone, on June 2nd, 11:00 a.m., in his Phase Two strip cell, just 2 hours and 15 minutes after he was told of his death warrant.

MUMIA'S STATEMENT

Mumia Abu-Jamal: This is just a fight from another front, you know. Don't panic folks.

Interviewer: My God, the guy signed a warrant for political reasons! He knew you were filing an appeal the next day.

Mumia: They just allowed me to sign my Petition for Post Conviction Release Appeal (PCRA). And it was no secret that we were going to file Monday. Every lawyer in Philadelphia knew we were filing. To sign a death warrant Friday was clearly a politically motivated event!

Intvr: It was printed in the *Harrisburg Patriot News.*

Mumia: Judge Sabo, you know, ups the ante. The fact is that we are dealing with a certifiable maniac, someone who is called a "prosecutor in robes" by ex-prosecutors. It has been very clear ever since the Department of Corrections and the general assembly and the politicians have been angling to sign more death warrants, sign more death warrants, sign more death warrants. What they have said publicly is the reason we are doing this is not to kill people, but to force inmates to file papers and force this process along, to force inmates to file their appeals.

Intvr: What's the advantage for Ridge to sign the warrant today? What does he get out of this?

Mumia: He says, "I've done it!" He has heeded the call of the people who have been calling for my blood since he became governor.

Intvr: The recusal motion is a powerful document.

Mumia: It causes me to cringe. What you have in the recusal motion are very clearly documented cases of a judge who doesn't know whether he wants to be a prosecutor or a thirteenth juror! You have a list of five or six of the most distinguished lawyers in Philadelphia, in contemporary history, who are excellent defense lawyers, but, more importantly, were themselves prosecutors. They say, in sworn papers, that Sabo is a 'Prosecutor in Robes.' They say, in sworn papers, that when they came into the courtroom, they had to restrain the judge from leaning over too far to help the prosecutor. They say that no defendant can get a fair trial or fair hearing in front of him. It's not what Jamal says. It's not what Jamal's lawyers say. It's not what Jamal's supporters say. It's what the history of over fifteen years on the bench have shown and revealed as a biased judge —as someone who doesn't know the meaning of the word impartiality.

Intvr: The recusal is a great document: We were really glad to see that, and we're definitely, you know, going to use it —in a big way.

Mumia: Very good. Well, I think that might be a good objective in terms of a touch point. I think it's real clear to anyone, outside the sworn, paid membership of the FOP (Fraternal Order of Police,) —if they were to take a look at the record of this guy's [Judge Sabo] handling of cases. I mean, I just found out this morning from my Phase Two mate, next door that another guy on death row just filed a petition, PCRA, in front of Sabo and had it thrown out.

Intvr: Mumia, is Sabo hearing his own PCRAs?

Mumia: To my knowledge, yes. The power that they accord a judge is extraordinary. Judge Albert Sabo is hearing PCRAs. Ernie Porter was in front of him —the guy I was talking about. He was on trial before him, sentenced before him. Files a PCRA a few days ago and has it denied by Sabo. I mean anybody who's watched the O.J. trial and so forth, or any trial in California knows that any defendant has the automatic right of recusal in front of any judge. If he gets in front of any judge, he has the automatic right to say 'no.' Not this guy. Such a right does not exist in Philadelphia. There are no rules that govern the conduct of the Court of Common Pleas, of the First Judicial District in Philadelphia, or any District. The fact is that a recusal motion, no matter how damning, has to go before the same judge and he has the word. He decides. So that's where we're going. The exhibits and the documents in the PCRA really tell the story. The statements made by the lawyers, and those supporting other peoples' recusal motions are extraordinary. I mean, they're extraordinary. Norris Gelman, Richard Sprague — those are some of the lawyers that are named in there. They are excellent defense lawyers. But they were also good prosecutors. And for them to come forward and say that should mean something. Well, the point I'm making is, the papers that were filed in that Melman case were filed in front of His Honor Judge Sabo as part of a petition for recusation and recusal and he refused them. [laugh]. You know.

Intvr: How quickly do you think Sabo could move? Within days?

Mumia: Well, it's hard to say. I mean, he could deny it in a day if he wishes. And he may. Who knows?*

Intvr: You said all your materials are in the hands of the state?

Mumia: I have nothing but a handful of the material right now with me. When they came and told me that I was going to Phase Two about 8:45 this morning, I was in the law library. I wasn't in my cell. All of my legal mail, my trial transcripts, personal mail, you know, everything, is in my cell. I had nothing. And I had to leave what I had in the law library and proceed to Phase Two, be strip searched, changed to a new pair of clothes, and then they took some photographs for the Department's records.

Intvr: So, Mumia, you're saying that they signed your death warrant yesterday and then they effectively took away all your opportunities to work on your appeal?

Mumia: Absolutely. I mean, well, let me read to you what it says here. By law, they have to by law give the person on Phase Two a photocopy of the actual death warrant which comes from the governor's office. On this last page, it reads, and I quote, "Given under my hand and Great Seal of the state and city of Harrisburg, this first day of June in the year of Our Lord one thousand nine hundred and ninety-five, and of the Commonwealth in two hundred and nineteenth, by the governor Thomas J. Ridge [his signature], and attested by the Secretary of the Commonwealth." So, you know, we're learning from the *Patriot* that they knew days ahead they were going to sign the warrant, that they signed it a day ahead. They served it about 8:45 this morning while I was outside my cell doing legal work, you know. At that time, I was working on one of the civil cases that the capital case prisoners are filing against the Department of Corrections precisely for access to their legal material. They have a situation right now in which I cannot go back into that law library, and no one in Phase Two can go into that law library, even though, an administrative directive provides legal access for all capital cases. According to a memo dated June 2, 1989, signed by the Commissioner of Corrections, all capital cases whether on Phase One or Phase Two must have direct access to the law library. But, I cannot go back into that law library as long as I have an active death warrant over me. This is the practice that the Department of Corrections has used concerning and governing people on death row.

Intvr: My God! You know —that's, like, worse than Kafka!

Mumia: Well, check this out. A few days ago, a guard came by and says, 'Jamal, you have law library.' I said "Okay." He said, 'You have witnessed your Atkins?' This is, you know, one of the brothers on Phase Two. I said, "Okay, good. I'll be able to see him, talk to him, and help him, you know, put his paperwork together.' I came into the law library that morning and there was four men in there and none of them was on Phase Two, and I said, 'What's going on? What's happening? Where's

so-and-so?' And everybody said, 'Well, apparently we're there for them.' I found out after I got to the law library that I was a proxy for the man that was on Phase Two because he couldn't come to the law library. Now, he was allowed to send me a note. He wanted me to write up a motion for him. I did the best I could, based on a very unclear handwritten note of what he wanted done. I can't read a law book for another man. I can't reason for another man. I mean, I'm not really a lawyer, you all? But here's a man who had a death date within thirty days or thirty-five days. He could not walk into the law library in a cage —where there are two cages— read a book or write a brief in his own hand. You know. That's the Commonwealth of Pennsylvania.

Intvr: I guess it's just like, you know, high tech take it all away, even peoples' pencils, you know.

Mumia: Well I don't have a pencil. I don't have a pencil. I have to stop a guard if I want a pencil. And if he, you know, wants to give me a pencil, he gives me a pencil. I write what I need and I must give it back to him as soon as I finish writing. Well, I haven't been able to stop a guard yet. That's the reality of Phase Two right now. I'm sitting in a naked cell. I mean, maybe if you listen you can hear my voice echo off the walls here.

Intvr: You're calling from a cell?

Mumia: Right now, yeah. Yeah.

Intvr: You know, Mumia, right, in a way it's like all fucked up! But you know they don't even know what they're getting. I mean in a way, you know, Ridge picked his alliance, right, like we always knew he was going to be aligned with them. But boy, man, this is just going to send people! I mean it's just going to —it's, like, Pennsylvania's going to have this huge spotlight like they've never seen before. Like he picked a fight that this guy's going to lose.

Mumia: But, it's when you look at the conditions that the Commonwealth has people on Phase Two under, I mean, it goes beyond bizarre, it goes beyond Kafka, you know. I mean it is illegal for me now on this status to go into a law library that's about a hundred feet away and read a book, right? And you don't have an execution warrant signed.

When you don't have one, you can get in there maybe once every three or four days [laughter]. What the Commonwealth has really designed, at bottom, is a system where everyone, whether you're Phase One or Phase Two, is under the most pressure that the government can bring to bear on any human, is to be denied most access to legal material. The persons who need legal research and material most are least able to get access to it. And that's the reality. And if that doesn't show a biased system, I'm at a loss —what can . . .

Intvr: Hey, what are they doing, building something in there?

Mumia: They're probably building new Phase Two's. This block has, I think, about eight Phase Two cells, and I'm sure there is more to come.

Intvr: Who can visit you in Phase Two?

Mumia: Hold on. Yes, sir?

Guard: Everything OK in there?

Mumia: Yes, sir. What did you say? I am talking to you all now.

Only personal family and lawyers, right now. Anybody else needs a court order. Listen, yesterday I was in the law library and a guy comes up and says, 'I want to see you in the Counselor's Office.' I'm like 'Oh wow, I've never seen this before. This is new, you know, I'm being counseled. OK. Alright?' So I go to the Counselor's Office. I get handcuffed and I go in the office and the guy says, 'Look, I got a direct order from the Security Captain that you must remove everyone from your visiting list who has a prison record.' I haven't done anything, and because I was contemplating some legal action against these people for that.

Here I am in a non-contact visiting situation. I could be visited by Satan and he couldn't do anything. You know what I'm saying?

I think it was a premeditated planned attempt to block and bar my support from members of the MOVE organization, who as everybody knows, many MOVE people have been in prison or in jail. I am prohibited from having anyone who has been in jail visit me. Now because I am on Phase Two, I am prevented from anybody visiting me, except people who have a court order.

Intvr: Mumia, talk for just a brief second about who have they prevented from seeing you. And also, put it in the context of where Waynesburg is.

Mumia: Waynesburg is at the furthest southwest corner of the state. It is as far as one can go in the state of Pennsylvania and still be in the state of Pennsylvania. We are bordering Ohio to the west, and West Virginia to the south and about, I guess, about fifty miles away from Pittsburgh. It is, well, conservative would be an understatement, a nicety. For the last few months now, what we have found out is that no reporter, agency, newspaper, or broadcast employee can come to interview me. I have been under what is an investigation status, which is said to have been around whether I had been operating a business connected with the writing and publishing of *Live From Death Row* (published by Addison-Wesley).[Editor's note: He was found guilty of these charges and filed an appeal; a civil suit was lodged against the prison.]

I am saying that every news agency on the planet earth from *The Welcommat* in Philadelphia, *People Magazine*, *20/20*, *NBC Evening News*, *The Wall Street Journal*, *The Washington Post*, and the *Philadelphia* whatever — whatever news agency you can name has been denied access to this institution based upon a continuing investigation into whether I have been conducting a business in the writing of *Live From Death Row*.

Intvr: What have they done about your paralegals?

Mumia: They have denied all paralegals because they have said, they have not graduated from recognized and certified legal teaching institutions and don't have degrees in paralegal science. They have used that as a pretext to further isolate and restrict people. Understand that this is the most isolated prison in the Commonwealth. People have told me that when they drive by if they don't look to the left quickly when they are driving down Roy Furman Highway, they will miss a small sign that announces the existence of this place. If they don't look above the hills and see the razor and concertina wire, then they will not know that the prison sits on the hill to the left. This place is for all intents and purposes buried in the boondocks of Pennsylvania, as far as possible from most of the people's [homes] who are situated here. Of course, most of the people on death row are from Philadelphia County. If you drew a line diagonally from Waynesburg to Philadelphia, it would literally be slicing the state in a parallel line from one corner to the next.

Intvr: So they have attacked your paralegals who are your lawyer's agents. Your lawyers are forced to come hundreds, hundreds, and hundreds of miles. They have shut down all journalists' access to you, and now they are attacking your visiting list in various ways.

Mumia: Yeah. The goal is obviously isolation and restriction. Not only that, what we have been finding out is that what I have said months ago is absolutely true. They have rifled through legal mail from my paid criminal capital case lawyer and from my legal staff. They have read my legal mail before I have read it. And not only that, they have sent it throughout the Commonwealth.

Intvr: How do you know that?

Mumia: We know that for a fact. It will come out more on Monday.

Intvr: So, literally, you are having guards there copying your legal mail when it's completely unconstitutional to open your legal mail.

Mumia: Absolutely.

Intvr: And sending it around to whom you presume to be the prosecutors.

Mumia: Well, maybe the FOP wants a file. What can I tell you?

Intvr: Talk about the denial of Noelle Hanrahan for taking an unauthorized picture.

Mumia: Well, it seems to me that for her to be excluded took —the eye of a telescope. She reportedly took a photograph of SCI Greene from a certain distance,

and credited herself as photographer, and this was published in the *Jamal Journal*. I got a note several weeks ago from the Warden of this jail, it was a notice. It was copied and sent to all staff members throughout the department that one, Noelle Hanrahan, would not be allowed in until further notice for violating the security of SCIG, by taking a photograph, a photograph that appears to have been taken off of the grounds of SCIG, and it was published in the *Jamal Journal*.

Intvr: As people can see in the photo, and when they see it is pretty muddy, and it is really only of the concertina razor wire. It just seems like one more element, they don't want any representation of that prison out there at all anywhere.

Mumia: No.

Intvr: Then certainly it is another attack on your visiting list.

Mumia: Absolutely. I mean from day one we knew, if you look at *Attack on the Life of the Mind* which was written years ago, the central theme in *Attack on the Life of the Mind* is isolation of one man from another. Isolation of prisoners, you know, for bullshit reasons. Essentially that is the guiding theme of this jail. To isolate people further, and further, and further away from those they love, from those they need. And, thereby to make it easy [to kill people], and for some people, like Keith Zettlemoyer, [create] a desire to leave this life. I am told I am out of time. Give my love to everyone.

Intvr: Stay strong Mumia.

Mumia: I have no choice. Tell them that this is just one other front to fight from. Thank you all. You're doing a hell of a job. On A Move.

Intvr: You too.

Mumia: Love

For information contact: Equal Justice USA/Quixote Center ph: 301-699-0042, fax: 301-864-2182 [quixote@igc.apc.org] or Int'l Concerned Family and Friends fax and ph: 215-476-8812.

On June 12, Judge Sabo refused to rule on the motion. After a second fruitless hearing by Sabo, Len Weinglass went back to the State Supreme Court to ask, again, for a hearing on that level. On July 26, the State Supreme Court directed the lawyers to go back to Sabo's court for a continuance. The 'stay' or postponement was issued August 8th. On September 14th, Judge Sabo ruled against the appeal for a new trial. ◆

Ramona Africa ON MUMIA ABU-JAMAL

Mumia is a Black journalist that is on death row right now. [His death warrant has been signed.] Mumia has been a journalist for years. He was president of the Philadelphia branch of the Association of Black Journalists. Mumia's first contact with MOVE came in 1976, and to this day, Mumia says he always feels bad about the situation. My sister's (Janine Africa) three-week-old son was killed by the cops, deliberately knocked from her arms and trampled to death on March 28, 1976. There have been other incidents of MOVE babies killed by cops, either pregnant MOVE women beaten into miscarriage or live babies killed by cops. This particular time Mumia had heard about it, and he had talked to officials, and the officials were saying that it wasn't true, that there wasn't a baby [because there was no official record of birth]. But we had birthed babies naturally at home. We don't need no certificate from the system telling us that we had a baby.

So when word got out about our little brother that was killed, Mumia had talked to officials and they denied it. Mumia was very skeptical about it, but he did come out and talk to MOVE people; and what ended up happening is to really prove to people that the cops did kill our baby. There was a dinner one night at MOVE headquarters and some reporters were invited, some politicians, a couple of city council people, and a few members of the clergy was invited. After dinner, they were shown the baby's body, and they were messed up. And when Mumia found out about it and realized that there was in fact a baby that had been killed by the cops. He was hurt and upset that he had been skeptical of MOVE and had leaned toward believing the system.

He started coming around MOVE more and covering MOVE trials, MOVE demonstrations, and confrontations that MOVE had with the police. He was the only reporter that told the truth about MOVE. Mumia wrote on a lot of things: on the homeless, on current issues. I mean Mumia was right there. It seems like he

was everywhere, just on top of everything. But mainly he covered MOVE, and he lost a lot of jobs behind it, and ended up becoming a freelance journalist because he would not be controlled. You know, his bosses would tell him he was covering MOVE too much. They didn't like the way his stories were written because they wanted the system's version of what was happening, and Mumia wasn't going for that. He would continue to tell the truth about MOVE. He wouldn't just come and interview MOVE people, he would go and interview officials too. And what he would do is he would broadcast or print what we said. That was something that wasn't done. Only what the cops or officials said was put out. But when it came to MOVE, we were spouting rhetoric, spewing profanity all over the place, never anything that we were saying. Mumia did that, and that affected people because it was the first time that people were hearing what MOVE was really saying.

As I said, Mumia became a freelancer so that he would have the freedom to do the kind of journalism that he wanted to do. Because freelancing doesn't pay well at all, he started moonlighting as a part-time cab driver. He worked at night. On the night of December 9th, he was out driving his cab in Center City, Philadelphia, and he came upon a situation where a cop, a white cop, was beating this young Black man. Not only his journalistic instincts, but his genuine concern for people just came to the surface. He gets out of his cab, goes over to see what's going on. Lo and behold, it's his brother Billy that's being beat by this cop. Mumia intervenes to get the cop off of his brother, and the cop pulls his gun. Mumia is shot; the cop is shot during the skirmish. I guess there's a lot of commotion going on, and Mumia is laying there shot and the cop is shot. Well, when the rest of the cops get there, of course, they arrest Mumia.

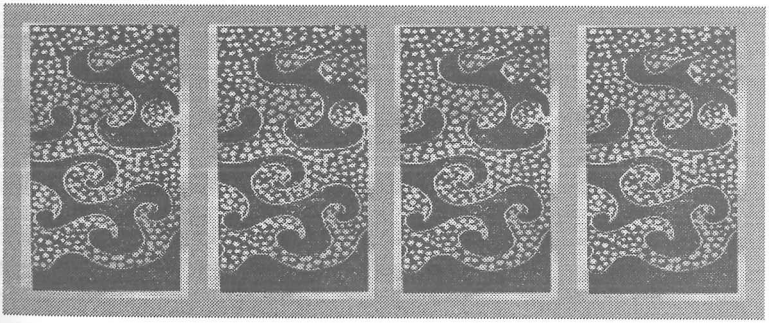
They interviewed 125 witnesses. A lot of the witnesses stated that they saw what happened; that Mumia was not the person who shot the cop. That the person that shot this cop was a man that was short, kind of stout and had an afro. Mumia is tall and slim and has locks. I mean, a number of witnesses said this without being prompted or anything. The only witnesses that said that Mumia shot this cop was a prostitute that had been offered a deal, and it came out because another prostitute had been offered the same deal, but she didn't take it. And she came out and exposed the fact that the cops had offered her the deal if she would finger Mumia as the person that shot Daniel Faulkner. They said that they would drop all her prostitution charges and whatever else they offered her. And in fact this woman who exposed this deal said that Cynthia White (the prostitute who said that Mumia shot the cop) was not even on the scene that night.

Another aspect of Mumia's case, too, is that Mumia was licensed to carry a gun, and he had a gun with him that night. But what came out, and what there is an investigation about now, is that there was some type of documentation that the cops went over to the cab that Mumia was driving to get, and that his gun was in the cab. But they were trying to say that Mumia shot this cop with his gun. It just doesn't jibe. There are a lot of things about it that don't jibe.

Right now, Mumia has exhausted all his substantive appeals up to the U.S. Supreme Court. And now the attorney of his choice is Len Weinglass, not the original trial lawyer. Originally, Mumia wanted John Africa to represent him.

Mumia saw John Africa represent himself in Federal Court and pulled through it, acquitted of every single charge and got our brother Moe Africa acquitted of every single charge. Mumia saw that example and wanted John Africa to represent him. The judge would not allow it. He said John Africa was not a lawyer. I mean, John Africa whipped the federal government pretty good, but, of course, they wouldn't allow it. So Mumia wanted to represent himself, but they gave him this court appointed back-up lawyer named Tony Jackson, and they gave him $150 total to represent Mumia and investigate that case. Now what kind of investigation are you going to do with $150? But, that's what they gave him.

Mumia was only in the courtroom long enough to pick one juror, the first juror, who was later removed from the jury. But he was only in there long enough to pick that one juror, and then he was removed. They said that his look and his manner of speaking was intimidating the jurors. So they removed him from the court. Tony Jackson went on to pick the rest of the jurors, went on to represent Mumia for the rest of the case, and Mumia ended up with a conviction and a death penalty. The trial judge that Mumia had was a life-long member of the Fraternal Order of Policemen, Judge Sabo. Now how is he going to be able to deal with the case and deal with the death of a cop, and a Black man accused of it? There's no way, no way. But this is the man that ran the trial and encouraged the jury to convict Mumia. Mumia was convicted on January 2nd 1982 of murder. That was the Fourth of July weekend, and the jurors kept coming back with questions, and finally the judge pretty much gave them an ultimatum. He was like 'Oh, well, you can come back with the decision today, or you can be sequestered over the Fourth of July weekend.' That's why they came back with that verdict in three and a half hours on the Fourth of July weekend. So Mumia at this point is awaiting the filing of what is called a post-conviction petition. That's a petition that would re-open his trial. [Filed in June 1995 and denied in September 1995 by Judge Sabo.] It goes back to the lower court, and if accepted and found to be valid, he may get a new trial. So that's where things are at now. His attorney, Len Weinglass, is out of New York. He's done a year's worth of investigation to get all the information he can on Mumia's behalf.



Evelyn Williams ON MUMIA ABU-JAMAL

Some people in this world who have strident voices, have voices that penetrate and voices that tend to elevate the consciousness of the ordinary person to a frightening degree to general society. The state, in maintaining its status, becomes threatened. One of those voices is familiar. Mumia is an articulate person. Many of those in the activist movement have not been very articulate. You know, you have personalities that are different. Some people who say, 'I am very comfortable before the jury and judge, but I'm not all that comfortable speaking to audiences.' You know, you must always remember that when you talk to the jury, your back is to those people out there . . . and you try to ignore them. I've got a little bit used to it since the book, *Inadmissible Evidence*, and I can talk a little bit easier.

But there are some people who are just natural orators. They can just naturally communicate an important concept, help you understand it, and generate you into action; and Mumia is one of those people. He also has a powerful avenue. He was a radio personality. He wrote —and still writes— articles. He is at the forefront of the intellectual analysis of our time. And as a result of . . . I think nobody knows what happened . . . who knows really what happened? I don't know, but I do know he was, shall we say, in the wrong place at the wrong time. Shots rang out and he was wounded; the police officer died. Mumia was arrested and he has been on death row since 1982.

Now, he falls into the same category of articulate persuasive people as a Geronimo ji Jaga, as a Mutulu Shakur, as a Ramona Africa. I don't know if any of you have ever heard Afeni Shakur, Tupac's mother, talk; but Afeni is just unbelievably powerful when she talks, and there are many people like that. Mumia is one of them. So much so that he threatens this society, even on death row.

A series of ten-minute commentaries that PBS wanted to air on "All things Considered," about prisons and the legal system was produced

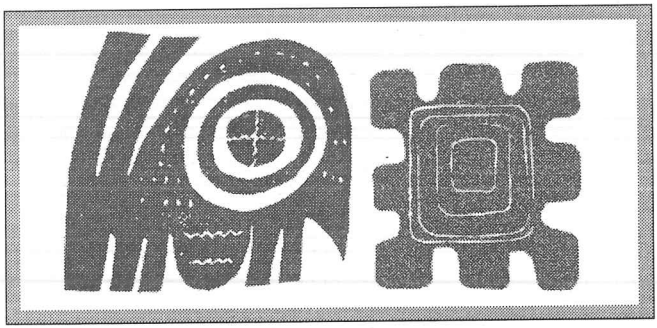
and contracted but never aired on that show. You cannot have this criminal talking! What is this? But what does that really mean? It means that here is a Black man on death row, forget about being in prison, on death row, who cannot have ten minutes of sound in this free country because it is too threatening. It tells you a great deal.

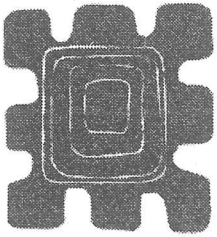
The thing about Mumia, as I said, nobody really knows the story. And one of the things that happened, and I am not here to criticize attorneys, although I have no problem doing that. What I am saying is that every attorney has their own strategy. But the thing that impressed me the most about Mumia's trial was the fact that he did not take the witness stand himself, which he is not required to do, which is something I oppose under any circumstance for anybody, innocent or guilty, personable or not. Because you leave yourself open to every single challenge concerning your entire life from the time your mother was diapering you, and you cannot afford to do that. You talk about victimization of the victim? Oh yes, this will happen.

In any event, before the sentence was going to be imposed Mumia was asked to make a statement; he did. And what happened after that constitutes reversible error, which to me means that this case should be reversed on appeal. After he made his statements, he was cross-examined by the prosecutor, after the trial, after everything. He has not sworn to anything, he is not on the witness stand. Mumia was cross-examined about a statement he made when he was sixteen years of age advocating a definitive response against police officers who attack the Black community. He, at that time, was a Black Panther; he was about sixteen. The prosecutor cross-examined him on that, forced him to admit that he made that statement. He tried to circumvent it, but he was caught off guard. He was not prepared for that, and he should have been prepared for it if his lawyer had courage enough to invite him to make the statement. And you know, you simply do not walk into the lion's den without your full armor on in any circumstance. So I criticize that. But nevertheless the one thing that will happen is fortunate in a way; because if this whole case was without error, it could not be able to be reversed on appeal. But take my word on it, it will be reversed, at least on this. For that I am very happy. And maybe his lawyer was clairvoyant. But in any event, that's what happened to Mumia.

The 1970 Supreme Court decisions expanded the rights of defendants and expanded the interpretation of the Constitution as applicable to people who were accused of crime. I'm very well aware of the composition of the present Court, including our own Clarence. But there are some outrages that manifest themselves in such large terms. It is my own personal opinion that this cannot be excused, explained, or reconstituted away. I think that state courts can get away with murder. They don't care. But when it comes to the Supreme Court, decisions are what we call precedent setting. In other words they will inform what the future cases are that follow. They are cases that young students will read about in law school. There are some mistakes I do not believe they are going to be willing to make, particularly when you have the articulate community support groups that Mumia has. Many of the decisions that have been made in relation to the death

penalty and other defendants are about poor defendants, not just poor monetarily, but poor in terms of community support. You'll find that with the kind of support that Mumia has, it will shape how carefully that case is scrutinized. And I tell you now that is clearly a reversible error. In addition to which the district attorney used this part of the statement in the summation. He went on forever in the summation in relation to why Mumia should be on death row. Well, it's incredible. I mean, you know, it's so monumental I can't even begin to describe how clearly reversible it is. Mumia has an army, and if he were just another ordinary prisoner, we might never know about it in the first place.





KEY TO FREEDOM

Marc Mealy

A Griot's voice can be a key
when it opens minds
gives light
to the meaning of being free

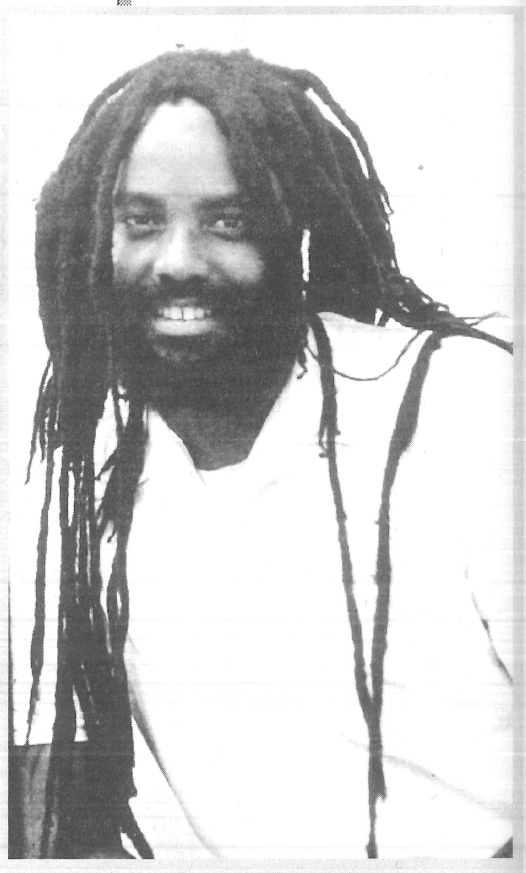
The voice of Griots
can unlock cell doors
when it raises our people's consciousness
in making Mumia's, Sundiata's, and
Mutulu's voices yours
mine
his
hers
ours
one voice united
under the moon and stars

A Griot's voice must give for our nation
because freedom ain't never been free
for our future
for our babies
in Africa there was never an I
as a people there was only we

Which is why if they take Mumia from us
if they silence his living voice
then we each
will have lost a part of ourselves
they will have stolen a leader
of our choice

Our Brother
his blood is ours to taste
his pain is ours to know
his knowledge is ours to hear
because he loves us
so
Mumia raised his voice for us
and will continue until his last breath
Griots must love as hard for him in life
as they would accept his spirit in their words
upon his death.

Below: Mumia Abu-Jamal
Photo credit: Jennifer Beach



. . . every expression of Black youth consciousness that they cannot profit from directly in economic terms, they stifle and crush and destroy . . . . They don't want the Black Panther Party to be reborn, or anything remotely like it. Now if you want to talk about organizing Martin Luther King, Jr. festivals, well you can do that. You wanna do something that's integrated and safe –but following someone else's direction–you can do that, too . . . But you can't do nothin' that comes from your soul, from your spirit, from your history, from your people, from your blood.

Mumia Abu-Jamal

From Evelyn Williams TO ASSATA SHAKUR

Introduction

Evelyn Williams' career includes that of a social worker, a professor, and the continuing practice of one of the most successful criminal trial lawyer/activists in the country. She comes from a long line of slaves and skilled free Blacks, who were landowning and educated. Her great grandfather, Robert Bruce Freeman, reversed the fugitive pattern familiar to the African slaves in the Southeastern part of the United States. Freeman escaped the Cherokee reservation and fled to live and intermarry with Wilmington, North Carolina, New Africans. Ex-slaves with the surname "Freeman" waged some of the most relentless and proud examples of resistance known in U.S. history. These outlyers, as they are sometimes called, are the United States equivalent to the Jamaican maroons.

Evelyn Williams' autobiography, Inadmissible Evidence, *continues the legacy of resistance literature of the 18th and 19th century slave narrative. She writes her personal story in that tradition, but she begins with the 1973 capture and imprisonment of her niece Assata Shakur. Like Shakur's classic autobiography, hers could also be considered a contemporary slave narrative, but less in form than in intent; and that intent is to challenge state power through the timeliness of her argument.* Inadmissible Evidence *does not simply protest to convince people of the wrongs done by the legal system against political prisoners and Blacks in general. It is equally a mighty intellectual blow against unjust state power in the way that it argues the case of political prisoners so methodically and convincingly to further the cause of Black liberation. With* Inadmissible Evidence *Attorney Williams has taken the closing argument on behalf of the Black Liberation Army out of the courts and into the streets.*

The genealogy of this autobiography reads like a large African baobob tree of matrilineage. It is divided into three parts: her early life with intermittent references to Assata's capture; Assata's trial and incarceration; and their re-

cent family life in the U.S. and Cuba, as well as her personal growth after Assata's escape in November of 1979. The soil under this baobob tree is that of her freemen /women family. The roots grow from a fierce and loving tradition of matrilineage. The strong trunk represents the struggle of Assata's generation of revolutionaries. And the branches represent the victory of freedom and the escape of Assata that places the family in the flow of the African Diaspora via Cuba. Evelyn Williams represents a motherline root cause of Assata Shakur's revolutionary victory.

by Chinosole

This talk is an oral rendition of key parts of Inadmissible Evidence, *and was given on November 19, 1995, at Marcus bookstore in San Francisco. The questions and answers following are combined from the audience at Marcus Books and a classroom presentation at San Francisco State University on November 16.*

It is a real pleasure. It is. I was telling Karen[1] that it is the first time that I have ever really talked about the book in a bookstore, in this kind of a setting. And it is just remarkably comfortable and friendly and wonderful. Not that I have any fear of antagonistic or hostile questions or attitudes, you know. Well, we can deal with that. But it is wonderful to just be able to relax with people who appear to be friends. It is a really great feeling. *Inadmissible Evidence* is of course my autobiography and it traces my life back to my parents who were both born in Wilmington, North Carolina. They came to New York at the age of twenty after their first child, my older sister, was born. I only have one. They came to New York and I was born in New York. The book tells the story of the Great Depression for example, some historical event that some of us lived through. Some of us wonder, what in the world is meant by those words, the Great Depression. It was a period just before World War II, when the African American in this country was not able to find employment. When the only real change that happened that enabled survival on an economic level was Executive Order 88.06 that the president signed in order to force industry to hire Black people in the defense industries. Because we were needed we found jobs. We have employment when we are needed in the same way that when railroads were needed to be built across America there was no problem about immigration. You did not have a 187[2] problem in those days. The Chinese were in fact welcome and that was great. As soon as that particular need expired, they were forced to be annihilated in one form or another. That is the history of this country, it is the history of the African American experience certainly.

The book goes through that kind of a thing, my own educational experiences, my work; I was a social worker, a probation officer, before I became a lawyer. I did it the hard way, I worked in the day as a probation officer and went to law school at night, and by some miracle got through. As soon as I graduated, my first thought (I mean as soon as I was admitted to the bar) was to be a criminal trial lawyer. That was the only thing that I wanted to do. I did not want to work for a judge, I did not want to be in politics, I wanted to be a criminal trial lawyer. Because in my work

as a probation officer I had witnessed the devastating impact of this society on the powerless and certainly the criminal defendants. They had no lawyers to protect them, except uninterested white lawyers, who would take just any small amount of money they had and would plea bargain them into jail or whatever, and be satisfied. There was no such thing as a real defense for somebody powerless charged with a crime. Of course I was admitted, before the Supreme Court expanded all of the various decisions extending the constitutional rights, Miranda warnings, and that kind of thing to defendants. I was admitted just before 1963 when you had decisions based on indigent representation, I mean indigent defendants being required to have attorneys appointed by the court to defend them. It was a great time to begin practicing from my premise that the poor, and the oppressed, and the helpless criminal defendant needed somebody with a level of expertise and interest to truly help them.

So the book explains my many years of struggling as a single practitioner. I then began to develop a legal services program for HARYOU, the organization under the Economic Opportunities Act which was across the country. It was to stimulate some kind of approach that would help or empower, similar to empowerment zones that we now have. The empowerment zone concept grew out of trying to help the poor help themselves after the society has totally eroded their ability to function on their own, has destroyed the few businesses they were able to build and their institutions; deprived them of their educational opportunities and totally minimized them as a people. It then says, OK now you are given the opportunity to empower yourself and we will help you do it, without giving them the necessary tools to make that possible.

So part of the program that I was developing would provide legal services to the poor which would incorporate representing criminal defendants, and people in civil cases —landlord/tenant evictions. You know in those days if you got anything on credit you were overcharged, and then there was a garnishee on your wages when you did not pay for the furniture or the whatever it was. This was a real big pitfall for many Black people who wanted some small luxuries in life and were forced to buy them on the installment system.

That was part of that program that I was developing. Adam Clayton Powell, who was the head of the Senate committee in charge of the overall direction of those programs, of course, got into trouble. He became targeted and he was forced out; he was charged with —I believe— embezzling funds, and he was forced out of the Senate, and as a result that entire legal service to the poor program failed. I am going to try to be brief with my own life because what I really do want to talk to you about is Assata. I think that if you have some sense of the framework in which Assata and Assata's family existed and how she fit within that family, you will have a better idea of Assata, my child, which is who I call her. In approximately 1966, my family owned beach property in the South as well as mainland property in Wilmington, North Carolina. I don't know if any of you have been there or heard of Sea Breeze. My mother was a Freeman and my mother's father, Robert Bruce Freeman, purchased approximately three thousand acres of beach land and mainland property in 1896. He was a product also of what happens

to Black people in this country. Whether it is property that you own of a physical nature, whether it is intellectual property, it will be stolen unless you are vigilant. All of the heirs —his children— he had with two wives, and my mother was the youngest of his twelve children, were land rich. They lived on what were called homestead plots. They had the beach. They sold it, they earned their living. They didn't work in jobs or anything.

They were unaware that white realtors were stealing this property. In 1954, my mother and father returned to Wilmington to build a Black business on the beach and to open up the beach so that Black people could own houses, summer homes and little businesses, and so forth. You must remember, in the South there was intense segregation; and you are much too young to remember segregation meant that, for example, this beach which was north of a white beach called Carolina Beach, which was so exclusionary that Black people could not walk through the beach, could not swim in the water fronting that beach to reach our beach. We had to, since the Freemans also owned the property on the mainland across, generally, we had to take the boat over. But they did permit some Freeman's to go through because my grandfather was a Cherokee Indian. They called all the Freeman's Indians; so those Indians who owned this beach, well, they can go up this road to reach their property but nobody else.

It was very important for my mother and father who had a vision about developing the beach so that Black people could not only live, have residences there and little businesses, but also establish an economic base. At one time in 1898 and just prior to that, Wilmington, North Carolina, was a port city. Over fifty percent of all the professionals and artisans and business people who were Black controlled the politics. They controlled the city council. In 1898 what happened was that white people said, 'listen, enough of this, we are not going to let these African Americans —they were extremely polite in those days— control our economy and our politics,' and they then proceeded to murder African Americans. They chased them out of town and they physically murdered them. They threw their bodies into the Cape Fear River. There is a book out called *The Cape Fear Uprising* which is fairly new. It came out last year and describes this particular incident. But in any event, this is Wilmington, these are the circumstances.

My father, particularly, and my mother too, had the same vision to recapture and re-establish an economic base for Black people; but unfortunately since the only Black lawyer in the town was unwilling to accept their case, they called me and asked me to please come down and help them. I was practicing at that time and I said yes and ended up spending a couple of years in North Carolina fighting that racist court system and racist surveys and racist judges and racist practice and procedure. I did finally effect, well really, a major victory, actually. It was not a complete victory. The legal decision that was handed down enabled the white realtors (who had crept up to use some of the land and by adverse possession had built condominiums and buildings) to keep the land that they had developed, and permitted us to keep the rest of our land. So, in a way it was a victory. But nevertheless, it was during that time in 1968 that I began working for New York University Law School. I taught law there. I was a supervisor in the VISTA

program. I developed a clinical program in juvenile justice, and I was employed at NYU for five years from 1968 until 1973. This is a period of course that became very significant to me, because in 1971 Assata emerged as a hunted person. From 1971 until "the turnpike," the shoot-out which happened on May 2, 1973, we did not see her, she was forced underground. The important thing that I want to discuss with you now is why she and so many others were forced underground.

It is a time when the Black Panther Party had been formed in California, as you know, in direct response to police oppression, to police murders of young Black men. During the period of approximately 1971 to 1972, over two thousand Black men and women were murdered at the hands of the police officers. And twenty police officers were murdered allegedly by the guns of what by then had emerged as a so-called Black Liberation Army, allegedly in direct retaliation for those murders. You all, I know, remember the 1969 slaughter of Fred Hampton and Mark Clark in Chicago. A murder of such unbelievably horrible dimensions that an analysis of the apartment in which they were found dead revealed that eighty-two bullets had been fired through the door into their room, killing them while they lay sleeping in bed. That was engineered by the FBI, CIA, and the Chicago police force.

So it was that kind of period; there were many others, I mean across this country and at that period of time, shall I say 1968 or 1969? Right up until the time that Assata was captured, everyday young Black people were being killed and when I say young, I am talking about ten-year-old kids. Little Bobby Hutton was in California, Glover was in Jersey, shot in the back. Glover was a ten-year-old youngster who was walking down the street in Jersey, shot in the back by a police officer called Thomas O'Shea, who justified the murder by saying Glover had a gun in his hand. No gun was found. He was in fact, shot in the back. O'Shea's defense was temporary insanity based on some kind of medical condition for which a name has never been discovered, but it was sufficient to enable him to be acquitted for temporary insanity. What you had not only then, but continually, as far as the police department is concerned, was assault on the Black community with impunity. They have not been prosecuted. They have not been jailed. They have not been indicted. They have not been convicted. They have been free to murder us, and it was in response to that emotional climate and that very specific understanding of the political reality that the Black Panther Party was formed. Allegedly a more militant offspring of that was the Black Liberation Army.

Now there is a part to all of this history that provides an underpinning, and that is the complicity between the government and the media and the CIA to annihilate Black people. An actual plan had been put into place called COINTELPRO, the counter-intelligence program. This began in 1967, but was unknown until 1975 when there was a Senate subcommittee investigation of the subversive activities of the CIA and possibly the illegal activities of the CIA. As a result, the Senate subcommittee, headed by Frank Church, investigated, but the results of their investigation were not known until 1975.

In between, no one was aware of the fact that the FBI had devised and implemented a plan to kill Black people. Martin Luther King, Malcolm X,

organizations like SCLC, the Urban League, and the NAACP, were to be infiltrated, diffused and were to be neutralized —their leaders neutralized. You know the word neutralized means simply that you are murdered like Allende and Patrice Lumumba. So, I wanted to start a little bit with COINTELPRO and give you the exact program of COINTELPRO and the purpose of COINTELPRO as defined by the FBI, and as revealed to the Church subcommittee so that there is no question. For those of you who have not lived through those days, or even having lived through them nevertheless were unaware of the underpinnings of the war that was being waged against the Black community in many, many ways outside of absolutely killing young Black men in particular, although women were also targets if they got in the way. In addition to the physical extermination, it was through housing, education, to deprive job opportunities, depriving Black people of every single opportunity to enhance themselves to develop a life, to provide for their children, to live as ordinary citizens. You had the combination of what I call a pathological poverty, a poverty that creates and breeds pathologies. Just to diverge for a moment, you will notice that in the so-called Depression of 1927, when white men who were in great jobs lost them, they became alcoholic, they beat their wives, they exhibited all of the emotional pathologies that Black people have been charged with for centuries as being endemic to us —this is what we do because we are Black. I like to use this example because it shows the same things in reservations with Native Americans. When they have been stripped of every opportunity to function as human beings, stripped of their dignity, they become alcoholics, they become drug abusers, their only way to survive is to simply numb themselves to the reality of rejection that they look at everyday. Simultaneous with that, as we know, we have the comparison of white America surviving beautifully. We have television which shows us that they are marvelous, and all the junk that they have.

So as I say, it was not only the physical annihilation of Black people but the specific program that had been put into place by the government as revealed. The purpose was, and I am now quoting specifically from the report: "The FBI had a secret plan, a covert plan called COINTELPRO, a covert action program initiated in 1967 to disrupt and neutralize organizations which the Bureau characterized as Black nationalist hate groups, and the purpose was to prevent a coalition of Black nationalist groups, and to prevent the rise of a messiah who could unify and electrify the militant, nationalist movement." They identified some of them, Martin Luther King, Stokely Carmichael, and Elijah Mohammed, all aspired to this position. To prevent violence on the part of these Black nationalist groups and of course as I said before, the NAACP and SNCC, and SCLC, and the Urban League were all targeted. They were classified as Black nationalist hate groups. It rather blows your mind to think of all the peaceful demonstrations that were made, that became suicidal for those peaceful marchers to change peacefully, withstanding hoses and dogs and every physical obscenity that can be hurled against another human being; pacifists being called violent hate groups in order to justify killing them. It should make you think how words can create the kind of images that can criminalize and justify assault on the Black community, and of course it continues

to this day in other forms.

Let me just get back to this. So, in continuing with the purposes: "to prevent militant, Black nationalist groups and leaders from gaining respectability by discrediting them." We have the same thing today; and to prevent the long-range growth of militant Black nationalist organizations, especially among youth. You see the emphasis on youth here and not only on youth, but young Black men, because they are going to provide the future leaders of the country. Men and women, children who will provide the leadership to allegedly —hopefully— take us out of the condition which we are in. It has always been that way, you know. The young are fearless. Old people have those fearless youngsters to take care of and pay the rent for, so we become much more cautious.

The Church Committee Report, to continue, also revealed that in 1970 a key Black extremist list was created identifying Black militants on whom COINTELPRO concentrated their investigation and actions and considered top priority. Well, in any event, they were targeted and placed in a top priority category of the security index, which was a list compiled jointly by the Department of Justice and the FBI based on the department's plan to —and this is the very significant part— to detain "dangerous individuals in the event of a national emergency." Now I am going to stop at this point for just one moment to bring you up to date on an existing organization called FEMA. I don't know if any of you are aware of that. It is the Federal Emergency Management Act, and this is the organization that comes to rescue communities if there are natural disasters like hurricanes and so forth. FEMA is what this particular plan represents. This is the plan to contain the Black community in the event of a natural disaster. Therefore you see the accelerated building of prisons. These are to become concentration camps, these are to be where you are to be detained, gathered together and put into. FEMA exists today. This was done in 1967, so you can see the long-term projection for our future. That part is not in the book, but as I was talking about it, I realized the very interesting significance of that whole concept of containment in terms of FEMA.

But to continue with the plans of COINTELPRO, this is the Church committee's comment on COINTELPRO: "The variety of illegal and extra-legal actions committed by the government against Black nationalists ranged from arresting them on every possible charge until they could no longer make bail, to declaring that the most effective counter-measure against extremist activities is criminal prosecution." As a result of which, you know, you spit on the sidewalk and I will arrest you. I call it putting you in the system. When you are nine or ten, you commit a crime —not a crime, let's just say it is a violation. It is small, it is against a penal law, it is against some civil law. You are put into children's court, but there is a record on you. You then do something else, you stay out too late at night, you are on the corner with a bunch of kids and you are arrested. You are then fingerprinted. By the time you are eleven, twelve, thirteen, you have what we call a record. You have been put into the system and you then become eligible to be second felony offenders when you get old enough to commit something or be charged with some crime for which you are convicted.

This is the plan that is spelled out here. The most effective countermeasure

against extremist activity is criminal prosecution. I am just expanding that to indicate how it is also used to contain Black youth. Now, once the Church Committee Report was made public in 1975, there were many convicted Black Panthers who attempted to get information about the surveillance operations against them by appealing and requesting their records through the Freedom of Information Act. As a result of that, they discovered some of the most devastating information that has ever been released to the general public. A governmental agency had been authorized to make phony arrests, illegal arrests, to drum up evidence that was not correct. They were authorized to manufacture evidence, to criminalize a targeted person under this program who was suspected of potentially being a militant, who made statements that were anti-government or were critical in some way of this country, and to identify them, to arrest them, to create high bail for them that they could not possibly meet —a hundred thousand dollars. As you know, the Panther Twenty-One, each had a hundred-thousand-dollar bail. They were in jail for two years before they went to trial. Their trial lasted for two more years and they were released after the jury came in with a verdict of not guilty in one hour. They were charged with conspiracy to bomb the Statue of Liberty, and to bomb Macy's Department store and that kind of stupidity.

This is the extent to which the government went to contain voices of protest, and the Church committee is so important because it documented it. It is even more valuable today because it helps explain why so many strange things are happening. Why we have the infiltration of drugs into our community. In other words, one aspect of the containment was to simply neutralize, eliminate those wonderful young militants who had breakfast programs, the Black Panthers. They had health programs and educational programs and walked kids to school and saw to it that their parents could provide clothes for them. They protested what was unconscionable. How can you criticize and condemn a group of people whose primary purpose is to help their own people, and at the same time criticize African American people for not being able to either pull themselves up by their own bootstraps or help themselves in any way when you prevent them from doing it? When you do find these marvelous young people who are doing it, you kill them. And you not only kill them, you plan it. You say, 'I am going to kill them, I am putting this long range plan into operation.'

And what happened with the CIA, the FBI and the joint terrorist task force (which was composed of federal agencies like the secret service, the immigration department, and local police departments) is that they worked in collusion with the media. The media was their agent, the media meaning television, newspapers, etc., to generate and take one targeted person, to criminalize that person, to reduce that person's credibility and believability by criminalizing them, calling them as they did Assata, "cop killer," "bank robber." Every time a cop was killed in New York or across the country, she was either allegedly responsible for it, or she herself pulled the trigger. And the authorities decided that in order to provide the necessary equipment to kill cops, meaning getting guns and cars and so forth, they had to rob banks. So the bank robbery was a secondary activity that was necessary to enable them to complete their major effort of killing cops.

This was a theory that was advanced by a man named Robert Daley in a book called *Target Blue*. I don't know whether any of you read it. It came out in a short article in *New York Magazine*. It later became a book in which Daley defined the so-called Black Liberation Army. Its object was —according to him— to kill cops and to rob banks to enable them to continue to kill cops. He identified Assata as the leader, calling her very specifically, "'the mother hen," who kept them shooting, kept them killing cops and kept them on the run. She was the "mother hen." Every headline called her "The Soul of the Black Liberation Army." Where this came from nobody knows. The only thing that her family and other people knew was that this face was on every single subway station, in every single bank, the front pages of newspapers with "cop killer" and "bank robber" across her chest, from 1971 until 1973.

On May 2nd, on the turnpike, she was captured. She was forced underground. Before I get to the story of Assata, I want to mention that there were many, many people who were so targeted, who were killed, in addition to Fred Hampton and Mark Clark. You had, for example, in January of 1973, Woody Green and Anthony White, two former Black Panthers who were quietly sitting in a bar in Brooklyn watching football. It was believed that they were members of the Black Liberation Army. An assault team came in, the joint terrorist assault team came in and just simply shot-gunned them both to death right then. They had no evidence, there was no anything. These kinds of incidents were happening almost every single day. Terror was generated by this. The whole community became terrorized because innocent people were being slaughtered.

And there was the fear, as we still have today, through, for example. a law called RICO, which is a conspiracy law.[3] If you associate with someone who is believed to perhaps have committed a crime, and you have had a conversation with them, you can be caught within that net and you can be indicted on a RICO indictment for having committed that same crime even though you do not know what the hell they are talking about. You had RICO, then you had COINTELPRO. In other words, every time it appears that the goals have not been met, not enough Black people have been killed, maybe there is a new generation emerging that will take their place, you have another piece of legislation, another acceptable legal piece of machinery to do what the original one failed to do. The original one had outgrown its service, outgrown its time.

As far as Assata was concerned, of course, the first time that her name and her face were on the front page of the *Daily News*, which is one of the big tabloids in New York, was on May 19th, Malcolm X's birthday, 1971. And what had happened was that several days after the Panther Twenty-One defendants were acquitted, a car was driving up Riverside Drive near where the assistant prosecutor of that case, Hogan, lived. It was driving in the wrong direction past a couple of police cars. Shots were exchanged and both police officers in that car were injured, although not fatally. The next day there was a letter sent to the *Times* allegedly by a member of the BLA saying that we are responsible for that attack and included the plates of the car that they were allegedly seeking. The letter was sent to the *New York Times* and the police department failed to release it to the public because they

were afraid that the designation of such a thing as the "Black Liberation Army" would frighten the public so much, and at the same time they had no ability to identify who was involved. They had no ability to contain it. So what they were doing was telling people, 'Listen, there is some Black Liberation Army out there absolutely dedicated to killing cops, and we can't do anything about it.' So they withheld that information.

But nevertheless, that is the first time it was necessary for Assata to go underground. She had been a member of the Black Panther Party and doing a variety of the breakfast programs and so on. She had been advised that she was being sought for questioning on this particular attack and she was forced underground. Thereafter, there were several attacks on policemen in New York City that were particularly vicious, and Assata was accused of having engineered those. Banks were robbed; she was accused of having robbed the banks. She became so hunted that on one occasion Assata was allegedly walking down 23rd Street in New York City at the time that there were wanted signs for her everywhere. She is allegedly walking down 23rd Street in New York City surrounded by several very somber looking, strong-looking Black men, and the police were so apprehensive and so frightened that they would not go near her. They would not attempt to make an arrest of this person they believed to be her. The NYC police department, for the first time in its history, had to have shotguns in their police cars, and be trained in guerrilla warfare. The city was under siege, the country was under siege. Blacks were simply terrorized in the same way as many of us who want to reject any possible association with acts of violence.

You must remember that Assata was called "cop killer," and her name is not mentioned anywhere, you know, unless right along side of it, in front of it, or behind it, are the words "cop killer." There were thirteen indictments against her. She was acquitted of eleven of them and two of them were dismissed. She was only indicted on one attempted cop killing, *attempt* to kill a cop. On that one, the evidence supporting the indictment was so flimsy, that the indictment was dismissed. This was on my motion, because I represented her on most of the cases. The indictment itself had to be dismissed, it was so flimsy. But nevertheless it was important that Joanne Chesimard be captured, and that many indictments against her be filed, so that if by any miracle she escaped being found guilty on one or two, they would certainly get her on one of the others. The process of being underground and fleeing, I am sure took her in many different directions and through many different cities and in many different states to escape the persecution and to stay alive. On May 2nd 1973, she was driving south on the New Jersey Turnpike and was stopped by a state trooper. The circumstances are detailed in my book. Essentially this is what happened. It is my personal feeling that a dime was dropped, meaning that she was targeted by somebody who knew that she and two men, Sundiata Acoli and Zayd Shakur, would be driving south on the turnpike that night. Somebody informed the police. They described the car which was incredibly identifiable. It was a white Pontiac with one red door on the passenger side where Assata was sitting. So the car is going down the New Jersey Turnpike. Sundiata is driving the car, Zayd is a passenger in the back, Assata is a passenger

in the front. A state trooper tells them to stop and they stop and he says, 'Sundiata get out of the car.' Sundiata gets out of the car. 'Show me your driver's license,' and he did. He goes and checks the records by police radio. No, there are no irregularities.

What I am telling you now is composite information that has been obtained from discovery material, from the statements the police made and so forth and so on, because there were no survivors to exactly what happened. At the end of it all, the only thing that anyone had to rely on was either the trooper who originally stopped them, Trooper Harper, or Sundiata or Assata, neither of whom, of course, was going to get on the stand and tell any story at all. Assata because she was not able to; she was instantly shot and paralyzed as the car was stopped; and Sundiata because he almost took a POW position.

Number one, let me explain just a little bit about taking this position. Defendants do not take the stand. I don't care how innocent they are, I don't care how great they are, I don't care how well they think they can withstand cross-examination. For one reason, there is always something in everyone's background that the police will pull up and victimize you with, discredit you with, destroy what may be a very real, truthful story —totally destroy it. In any event, Harper, who is the trooper, makes a phone call and he identifies this car as being a white Pontiac with three occupants, two Black men and one Black woman. When he has gotten all the information he wants, he says to Sundiata, 'go two hundred yards down toward the barracks,' the police administration building, which was on the turnpike but was in a great position because it was very well lighted, the turnpike being dark. So Sundiata said 'sure,' and down they went and then he came out of the car again.

And Harper says 'come out.' Well at this point, when Harper returns to the front of the car, nobody really knows what that story is, except that at that point, Assata was shot by Harper. She was shot under the right armpit which instantly paralyzed her arm and that bullet ricocheted from her collar bone into her chest near her heart and is still there because it is inoperable. But at that point, she was out of it clearly —she was rendered unconscious. What followed later was that one of the troopers who heard Harper ask for backup assistance for what he later claimed was a defective back light. By his own admission, such a minor offense would have required a summons and you would not need a backup. The backup was Werner Foerster, who comes behind him and continues the questioning of Sundiata while Harper is at the front with Assata. In the meantime, there is another backup state trooper called for this very minor offense, and he races to where they are supposed to be in front of the administration building saying at a hundred and twenty miles an hour to Harper, 'I will meet you at the pass.' That is in the transcript because they had the radio tapes of every conversation that transpired on the turnpike that night. Well, after Harper shoots Assata, Zayd apparently leaves the back of the car to come out in a protective mode. Harper kills him and then flees the scene. He runs up to the police barracks.

In the meantime, Sundiata is between the two cars struggling with Foerster, one of the other state troopers who has come to the assistance of the first one. The interesting thing about Harper's flight is that he leaves his partner between these

cars fighting with this man, this Black man, and these people with guns; goes up to the administration building and simply makes one report: 'There was a shoot-out and those people injured me.' And he had a little nick in his shoulder. 'They returned to the car and they are proceeding south and I think I hit the woman.' That was the report. What did he leave out? That he had left Foerster on the turnpike in battle with Sundiata and did not mention the fact that Foerster was at the scene at all. Foerster's body was not discovered until an hour after he came into the administration building. For one hour. Now that indicated to me as I looked through all the discovery material, that Harper was in such a state of panic, there is no question that he knew who the occupants of that car were. That they were alleged BLA people, that one of them was probably Joanne Chesimard. And he was scared to death when he stopped the car. Even with all of his backup, he started shooting. And in that panic, that fear, that cowardice, when he runs up to the administration building, he cannot worry about Foerster, he cannot attempt to protect him. He had to lie and say, 'Oh I didn't mention Foerster because the last time I saw him he was struggling' — an hour later. He has to justify it with a strange ability to reduce the significance of it during the trial.

In the trial, Harper's testimony was so key that to attack his credibility was easily possible, and there is no question in my mind that there should have been an acquittal. There wasn't because you had a racist county, Middlesex County in New Jersey, a racist state, a racist judge; you know, all the racism that you can imagine. We had change of venue motions, we did everything to try to get it into a county a little less homogeneous; Essex County, for example where Newark is; where you have a larger Black voting pool from which to select a jury. We were, of course, totally unsuccessful.

The Jersey trial was in three phases, the first one terminated when we had a change of venue from Middlesex County that happened in October of 1973. In the meantime, there were millions of indictments against Assata for bank robberies and everything else. I am representing her in terms of a plea of not guilty to the indictments. I am preparing motions challenging the indictment, discovery motions, going through all the normal things that all lawyers do, just very automatic motions. Nothing, but it was a very busy time to put it mildly. In the meantime, she is being pulled back and forth, she would come and respond to indictments and arraignments and so forth and so on. Well, in the middle of all of this, the Southern District demands we get a change of venue motion. We get an adjournment so that we can complete our motions. In the middle of all this another district calls up and says we want her to begin her trial immediately in the bank robbery trial in New York. This is just panic time. Nobody is prepared for this, but nobody is at all interested in this. They forced her to go to trial understanding that very important motions were being prepared.

Simultaneous with her transfer from Jersey to Manhattan to stand trial, the media converged with an avalanche of negative publicity. Every single suggestion of a crime that Assata might have committed, every single suggestion of a crime the would-be alleged BLA members had committed, was dredged up and repeated. This happened every single time there was an acquittal. You had a flurry of

information about Joanne Chesimard. And it kept the public concentrated on the fact that this was a dangerous person. The fact that she had just been acquitted of any particular crime was unimportant. Do not forget this is a dangerous person and we must get her. It kept the potential jurors alerted to the fact that they had a responsibility that had nothing to do with the legalities of any case in which they sat. Their responsibility was to put Joanne Chesimard behind bars.

Let me just talk about for just one moment the kind of conditions of her incarceration. She was placed in the basement of Middlesex County jail. The only woman in the history of New Jersey who had ever been in an all-male jail. It was an enormous room, approximately as big as this bookstore with her cot nailed to the middle of the floor. Fluorescent lights were on twenty four hours a day. It is called a technique of sensory deprivation. It is a technique that, as one psychologist said, is designed to drive you crazy to the point that you will commit suicide. It is so severe. Also the high security units that were put in place later were in response to a need to contain so-called dangerous political dissenters: so dangerous that even though you have Assata isolated, no visitors except her family —one half hour— a week who could not go into that cell. She came up into a little place. No telephone calls. No contact, of course, with the male prisoners that would be perhaps justifiable, but no contact with anybody except me, her lawyer. You put a person in a place like that under those conditions and yet you are so terrified of their potential violence. How can you explain that? How can you explain for example, a Mumia who is in prison on death row not exactly solitary confinement, but very well contained. How can you explain the fear that a ten-minute series of statements on a PBS radio station will injure anyone, will so violate the consciousness of ordinary citizens, they will be destroyed? How can you explain this? Of course, it is easily explained when we understand the strength and the dramatic and unbelievable survivability, in fact, of the African American. You know, we are like weeds, we grow up stronger and stronger every time you cut us off or destroy us; and that is one of the explanations, in addition to the hatred. And the fact that we are fine when we are needed economically, and when we are no longer needed, then we must be reduced in size and number and importance and so forth.

But in any event, Assata, that was her place in imprisonment in Jersey. She then has to face trial with Kamau, who is Fred Hilton, also an alleged member of the BLA. It was a Bronx bank robbery, but it was a federal district. An indictment for commission of a federal crime takes place in a federal court and this was in Manhattan, Foley Square. On that case she was acquitted. There are very dramatic moments around that case that I am not going to discuss unless somebody wants to talk about it. She was acquitted of that bank robbery. Immediately after she was acquitted of the bank robbery, she was returned to Jersey to stand trial again. There was no time in between; it was one or two days. The very next day after an acquittal she went for retrial. In that period of time, you have the sensational exposure again —repetition of all of the acts that she has been charged with, including the fact that even though she was acquitted of XYZ and of this bank robbery. Well, let's not be too serious that the jury really knew what it was doing. There was surely a mistake somewhere along the line. Another alleged member of the BLA, Andrew Jackson,

had been arrested with his girlfriend a year earlier. The girlfriend had written a diary and immediately after the Seventh District acquittal, the *Daily News* published the full diary in which she discusses Assata and discusses the so-called Black Liberation Army. It is labeled *Black Libber's Diary Reveals All.* This ran for five days in the *Daily News.* And so this is the kind of publicity and conspiratorial effort and manipulation, collusory manipulation, between the federal government, the CIA, and the court system to entrap and destroy anyone that the government felt was too free and open and honest a dissenter.

There is one particular, in terms of her jail sentence, I would just like to read one statement about the evaluation of that sensory deprivation and what it can do. This was a statement by a psychiatrist who had visited her, Dr. Michael Oliver Smith, a New York psychiatrist. He describes the dungeon that she was living in, and he testified about the effects of sensory deprivation resulting from the lack of natural light, lack of fresh air, lack of exercise, lack of recreational material, severe lack of human contact and a lack of spiritual contacts. He concluded that if Assata had not been such a "strong and independent-minded person, it is very likely that she would have had a psychotic breakdown well before this time." Those were the conditions, that was the evaluation, and as I said, the conditions under which she was placed as a precursor to the women's high security unit at the federal prison in Lexington, Kentucky, evaluated in 1988 by Amnesty International. They concluded: "This program,[the high security unit] set up a hierarchy of objectives, the first of which is to reduce prisoners to the state of submission essential for their ideological conversion. That failing, the next objective is to reduce them to a state of psychological incompetence sufficient to neutralize them as efficient self-directing antagonists. That failing, the only alternative is to destroy them, preferably by making them desperate enough to destroy themselves." Now this is the unit that was specially designed to accommodate Susan Rosenberg, Sylvia Baraldina and Alejandrina Torres, three militants —white and Puerto Rican anti-imperialist militants.

So I say this to say that the treatment, not only the persecution, the prosecution, the hunt for so-called militants was exceptional. Not only was that exceptional but the way in which they were incarcerated was exceptional, exceptionally brutal for all of them —Sundiata Acoli, Sekou Odinga, Geronimo ji Jaga. I am not that sure about the quality of his incarceration, but I am sure it was quite similar to this. So that you see the intention to set examples if you violate in any way the conventional stance that we have demanded that you maintain, we will destroy you: you, your family, through surveillance, your neighbors, your friends, your jobs, the whole thing. We will contain dissent in this country. You know, of course, you had the socialist party, the communist party, you had the Rosenbergs, you had many, many people who have been destroyed because they had the audacity to disagree in a democratic country that contains within its constitution, the first amendment.

Among the things that happened to Assata was one of the most brutal that I have ever seen in my life. Immediately after, well of course, as you know, during the Seventh District trial, Assata and Fred Hilton were disruptive because they were advising the court and the jury that this was unfair. They were not prepared to go

to trial. You just cannot force us to go to trial when we have had no opportunity to prepare at all. I filed all kinds of motions, the court of appeals, etc., did not work. They were disruptive, they insisted on telling the jury, 'Gagliardi is trying to frame us, we are not going to sit here and quietly permit ourselves to be framed for a crime we didn't do.' As a result of which he banished them from the courtroom. They were contained in a small area behind the courtroom with a loudspeaker so they could hear what was going on. And every now and then they were given an opportunity, if they so desired, to return to the courtroom and observe the proceedings if they 'behaved themselves.' Well, of course, they came just for two of the informers' testimony, and only then to call them liars and so forth and so on, at which time they returned to their little cells. During this period of time, of course, it was after Assata had been in this dungeon with almost no human contact at all for a year. Fred Hilton, whose African name is Kamau, was a friend of hers. They greeted, very happy to see each other and a legitimate, as far as I am concerned, intimacy between them developed. Two human beings who had been so deprived by this society were intimate as a result of which on September 11, 1974, Kakuyu was born, the child of that union. Motions were made, she was returned to the dungeon, her case with Sundiata was stopped. That was severed. He continued, he was convicted. Her case however was severed, and she was returned to the Middlesex County Jail basement with not enough nutrition to support an adult, much less an adult with child. Motion after motion was filed in federal court, in appellate courts, and so forth. Well, the State of New Jersey just got so tired of all the motions being filed, that they said we will take care of this. We will ship her to stand trial in the Eastern District on the bank robbery case and we will ship her to New York. And that is what happened. But as I say a victory is victory. At least she was out of the dungeon and she could get some decent food and she and the baby could survive.

What happened then is very significant. Assata was deprived of the right of having her own doctor who she had as a result of a court order that I filed. Dr. Garret from New Jersey was a gynecologist and obstetrician. The court had permitted him to treat her during the period of pregnancy. He visited very frequently in those last months when he discovered that she was almost in labor and said, 'Look, let's get her to the hospital immediately.' He got to the hospital and found out that he was not permitted to deliver the baby.

This was four o'clock in the afternoon, I didn't have time, (I was so used to filing papers and motion papers and injunctions that I can almost do them in an hour). But it was four o'clock and the courts close at five. I was always there when he was there, in addition to other times, because frequently they would not let him in. He was an obstetrician licensed to practice both in the State of New Jersey and in the State of New York. His credentials were unbelievable, over-qualified at everything, but unfortunately he was Black so this reduced any potential qualification to non existence. Dr. Garret was never permitted to go in and examine Assata by himself. He had to wait for somebody from Montefiore Hospital who was contracted with Riker's Island to be there when he examined her; to agree with his diagnosis; to approve whatever medication he had prescribed for her, etc. On those

days that the doctor did not come from Montefiore Hospital, Dr. Garret could not see Assata. He would have to go back to Jersey, make another appointment. And he did it. This was the kind of dedicated doctor who said you will not defeat me. When you know what the enemy is doing and you know nevertheless that regardless of all of that, you have a purpose and your purpose and his purpose was to protect Assata, to help her deliver a healthy child and that is what he was going to do.

Well, when he got to the hospital, as I say, he was there and he had to wait for the doctors to come and confirm, 'yes, she is in labor.' Then the police escort, you know she always traveled by caravan, there were like hundreds of cars, with her in the middle of the caravan. He follows the caravan to Elmhurst Hospital. When he gets there he finds out, 'no you cannot deliver her.' And of course Assata took her usual action in response to this. She simply braided her hair, sat on top of the cot, folded her arms across her stomach, and said 'I will deliver this baby myself unless Dr. Garret delivers it. None of you will touch me.' Well, I had at this time understood very well that Assata will prevail.

So I am going to try to negotiate this situation, best way that I can. Ernie, Dr. Garret, will not leave the hospital. In the meantime, the press and all the defense committees are all alerted to this situation; now they are crowding around Elmhurst Hospital screaming, 'Dr. Garret must deliver this child' and the cameras are everywhere. Garret is saying, 'I am not leaving,' and Assata is saying, 'unless Dr. Garret delivers this child, I am doing it myself, and none of you are going to touch me.' She is so determined. She is always quietly determined, but always determined. Well the hospital became so frantic that they capitulated, and I worked out an agreement between the hospital, Dr. Garret, and Assata that he would deliver the child, that he would continue her postpartum care for two weeks, and that the hospital was relieved of any responsibility resulting from his delivery. It went beautifully, and at four o'clock in the morning Kakuyu was born and I announced it to everyone who was waiting expectantly. I kept them informed, 'yes now we have the agreement, yes now Dr. Garret is going to, or before that Assata is going to deliver herself.' So it was real drama and now when Kakuya was born there was just, you know, a marvelous response and so forth. For two weeks it was wonderful. Then of course we, my sister and I, took custody of Kakuya.

Assata was returned to Riker's Island, and at the moment she was admitted, it was demanded that she have an internal examination for weapon concealment. She refused. And they said, 'Oh no, no, no, no, no, you are going to have it.' She was beaten. She was isolated, the whole thing. I was there every day, it was just unbelievable. She finally permitted it when they lied to her and said that I had given the OK. I am, in the meantime, preparing papers for an injunction to prevent this, and they lied and she believed it. I think that was the last time she would believe anything that anyone told her that was so contrary to what she knows I would advise her of. She did not always take my advice, of course, but I am consistent at least.

I just want to tell you this one thing, I understand the time is running out. I do talk forever. The baby was born in September, and in December, the Eastern District demanded that Assata go to trial on another bank robbery charge. But

before this happened, what they wanted to do was photograph her to make sure that she was the person that was reflected in the bank surveillance photo. She refused to voluntarily be photographed. After all, on her arraignment in each case, they would take the mug shots and this and that. She refused. What I am describing is the most brutal thing as far as I am concerned (in addition to the solitary confinement) that happened to Assata during that period prior to her liberation. Judge Mishler demanded that she appear in court. I was there, of course. There were five FBI agents whose job it was to twist her body into shape and into a position to reflect the angle taken by the surveillance camera so they would match the photographs and prove that Assata was the bank robber.

Well, of course, Assata in true fashion with a now partially paralyzed arm, having relatively, just given birth, fought. They grappled her to the ground, and I have in the book part of the testimony, and I think I will read this and I will just call it a day. But let me just read, a little bit of this, and you will understand the courage of Assata. OK. This is the morning when we are all there, and I came in first because she had to be brought up by the marshals and she was brought in by police escort. There were two FBI photographers and five marshals prepared to arrange her in this position. When I said that she had been photographed, the prosecutor said, well it didn't reflect the exact angle of the bank surveillance photograph. This is where you can now understand how judges can make statements that should disqualify them, that show that they are biased. Judge Mishler said, "Let's get this over with, I directed that the photographing be done and it is for the purpose of determining that the defendant was in fact of the same height, build, general outline as the one who held up the bank. Now if your expert feels that the height of the hair or the coiffure should be about the same, then to take that into consideration, fine. I am not going to make any further directions." This is the statement: "I have never seen so accurate a photograph of the face," meaning the similarity between Assata's face and the bank's surveillance photo. That is immediate disqualification, that is biased clear and simple. He cannot sit as the trial judge on that case. He goes on, he forces five U.S. marshals, who have climbed all over Assata, forcing her down on the floor of the courtroom. Two held her body, two held her head, and one had his arm around her throat attempting to push her chin upwards. The photographer who was poised for the correct angle was standing on top of a table.

Mishler said, '"Let the record show that Ms. Chesimard is attempting to distort her features;' and Assata, her throat being throttled, screamed, 'Let the record show that I am refusing to take pictures which are unconstitutional. Let the record show that I am refusing to be framed.' Mishler says to the marshall, 'You take any force, take any force . . . that is necessary . . . . The orders of this court will be obeyed by Ms. Chesimard or anybody else. She has no special rights here. She is not going to get away with it just because she is obstructive and disruptive.' When I made my repeated objections and so forth, he said 'That is the only way we can get a photograph and I direct that they do it.' When I pointed out that Assata had a bullet in her chest and a paralyzed arm, in addition to still recovering from childbirth, he stated, 'She certainly seems to have enough strength to resist five marshals.'"

When I continued to protest he directed use of all the force that is necessary. And when I said that the defendant is in fact not to prove her innocence, he said, "Meaningless shibboleths have no place here. She refuses to show what her face looks like . . . and blah, blah, blah."

Well as a result of the motions that I filed based on this transcript, Mishler was excused as the trial judge. He was separated, he was forced to be removed as the trial judge. When people say to me, how can you sit, how could you continue to comment for the record while these vicious things, this vicious attack was happening to your niece; my response was, you do what you must. I knew that unless the record reflected every single blow, every single statement, Assata would go to trial with a Mishler.

So I swallowed my pain and did my job. When it was all over, they brought her downstairs to the basement and I got the nurse and rushed out to meet her, and this is what is on one of the flyers advertising my talk at San Francisco State. It comes after this particular incident. I raced to her and demanded that a nurse —the only available medical person —be brought over immediately to examine her. I said,"*We were not aunt and niece, not mother and daughter but two women in an alien world sharing an anguish neither could extinguish for the other. Me doing my legal thing and Assata doing her necessary thing, the only weapons we had.*" So that statement refers to this particularly barbaric incident. And I will just end up by saying that Mishler was removed from the case and Judge Jack Weinstein was assigned. He was one of the fairest judges on the federal bench. When he saw the pictures that they attempted to admit into evidence with this violent forced posing, he said, "I would be inclined to exclude that. I will allow you to introduce proof that she refused to be photographed, but I believe that this comes close to shocking the conscience of the court if that exhibit was obtained in this forcible way. I won't allow it. It is the equivalent of forcibly pumping somebody's stomach." (pp. 133-135) And that was just a measure of the kind of brutality of every variety that was afflicted on political prisoners, Assata and the others. So that on November 2, 1979, when she was liberated from prison, I was overjoyed as were many, many in the Black community. And she did receive political asylum in Cuba where she is now, and of course, I am happy, but am still struggling still, trying to communicate with African Americans. Things cross and she continues to be healthy and well and productive. Thank you.

QUESTIONS AND ANSWERS FROM MARCUS BOOKS AND SAN FRANCISCO STATE UNIVERSITY AUDIENCES

***Question:** Is her daughter with her in Cuba now?*
Answer: No, Kakuya went to Cuba to be with Assata in 1985, when she was ten. She was there for five years. She came back, she went to the High School of Music and Art and is now attending Spelman. She is in her third year and is doing very, very well. A tall, brilliant, beautiful youngster who has, of course, a special sensitivity created within her, to put it mildly.

***Q:** I want to know how did Assata's daughter begin to understand what her mother*

had gone through. I read the book and remember when the child told the mom: "you can get out of here [prison]. You just don't want to." And, you know, of course when a mother hears that, knowing that a child doesn't understand, it hurts.
A: Well, Kakuyu was ten years of age when she saw Assata for the first time outside prison. Actually it was the first time she had ever really held her, because Assata was in the kind of solitary confinement where her family could only see her for a half an hour a week. She was in this dungeon, that's how I would describe it. And when she was on Riker's Island, I think on two Christmases, they had an open meeting for all the kids of the inmates. But outside of that, it was through wire or glass. So that Doris would take her every week to see her mother from the time she was born, and she was like this . . . a little thing, you know. Kakuyu is no different from any other child whose mother is incarcerated, whose mother is the object of hate. I don't care how many admirers Assata has, she has 200,000 times more people who hate her, who want to see her continue to be incarcerated, who want to annihilate her.

Kakuyu is now nineteen. When she lived in Cuba with Assata, it was a tremendous struggle. There was cultural trauma. There was the business of getting accustomed to a mother she did not know as a mother. She called her mommy "Assata," and my sister Doris her grandmother was "mommy." Of course we had exposed her to every positive image we could in relation to Assata, so that she knew she was a very special person and she loved her. But to be stripped away from her, away from any family that she knew, to go to this strange place with these foreign people speaking a foreign language and live with this woman that she really didn't know, even though she knew that was her biological mother was a very, very difficult thing for her to do. She lived through it. I am not so sure that she is not perhaps permanently scarred as a result of it. I'm not so sure that it was the best decision that should have been made. I nevertheless helped make it. I would not retract that decision for one moment.

Emotionally there is no youngster whose mother or father is in prison, who goes to that prison to see them —you cannot make that a welcoming experience. You cannot explain sufficiently to a small children why their mothers and fathers are in jail. Calling them political prisoners, what does that mean? I mean, all they know is, "Hey, I don't have a mommy and other kids have mommies." I think Kakuyu has done a marvelous job of making the adjustment with the help of her grandmother and me and other members of the family. She knows her half sister and her mother. She visits Cuba quite frequently, and has almost come full circle, but I would not say that she is totally there, and I would say it has been very difficult in many ways. There are many similar situations of women or fathers who are in prison whose children share that same experience. It's not novel, it's not peculiar to Assata and to Kakuyu.

Q: What is Assata doing in Cuba and how is she making a living?
A: When we talk about making a living in the United States, we're talking about earning money and being a part of an economic structure where we are rewarded by specific hours and specific forms of labor and so forth. Cuba is a socialist

country. There is a reward for labor by enabling you to live in as humane a way as possible. For example you do not have to worry about getting evicted. Assata has a house. You do not have to worry about food. She stands in the bread lines with everybody else. She does not have to worry about her health, although there have been times when her health has not been good in Cuba, of course. Free clinics and free hospitals are available to everyone as well as to her. What she does in return for those benefits or for that pay or for that salary is to interpret. She speaks Spanish quite fluently. She acts as a kind of goodwill ambassador between various groups and organizations who come to Cuba. She does many things at the request of the government. And that's how she pays back as much as she can.

Q: Due to your active involvement in her case were you threatened and intimidated?
A: Oh yes, I was almost murdered on one occasion. I wouldn't dare to begin that story with you. I opened an office. There was an attempt to set me up in a sting operation, the sale of drugs. That also is in the book, many, many things. I was forced out of my office by the telephones and electronic wiring and so forth and so on. And there are many, many other things, of course, you know. But this family is not alone. There are many who don't have the Assata Shakur's as members of their family, who have suffered just as grievously. You know the 92 Morningside Avenue situation? This happened while they were looking for Assata after her escape. The whole block surrounding 92 Morningside Avenue was cordoned off. This was in New York City. The joint terrorist task force tore down buildings, assaulted them just absolutely with hammers and entered apartments. One particular person, with a slight similarity to Assata, was pulled out of her bed with her five-year-old child and forced to lift up her nightgown to prove that she did not have a gunshot wound on her leg that they thought would identify her as Assata. There were professionals, all kinds of people living in that building, and the raid occurred at about three-thirty in the middle of the night. There are thousands of incidents all across this country where that has happened. Fulani Sunni Ali in Mississippi was resting in her bed. She was charged in the Brinks case in Manhattan Federal Court. She was in her bed in Mississippi and the whole army comes to the little farmhouse with six or eight children, and arrests her, drags her out of her house. This has happened across this country and it is not unusual. It is of course part of my personal life and story, but it has happened to everybody. We have all suffered. We have all, I believe, resisted capitulation.

Q: Is there a documentary on the BLA and Assata Shakur that is available?
A: For there to be a documentary about the BLA, assuming its existence, it would probably have to emerge from the underground where there are graves. Because most of them are dead. Murdered by police. Assata has identified herself with the concept of the Black Liberation Army, with the idea of the need to defend yourself with guns. She is not a pacifist nor has she ever pretended to be. She has made her statement about the meaning of the Black Liberation Army as to what it means to her before judges. She has made opening statements in court aligning herself with

the principles of the Black Liberation Army. So that outside of Assata I know of no other person who has dared to even mention the Black Liberation Army except Sundiata Acoli. I am now helping to work on his appeal. Zayd Shakur, who was killed on the turnpike the night of the shoot out, wrote "Spring Will Come Next Year" which is a statement of purpose signed by him as a member of the Black Liberation Army. But I know of no others that would be sufficient material for a documentary. And I can assure you, while Assata has identified with the purposes of what a Black Liberation Army should be, she at no time has ever admitted, confessed to, agreed to the fact that she has been a cop killer or a bank robber. You must remember that out of thirteen indictments against her, she was acquitted of all of them except two that were dismissed for failure to bring a speedy trial, and one that was dismissed for lack of evidence. And the only one for which she was convicted was the Jersey case, a frame-up from beginning to end which I have clearly documented in *Inadmissible Evidence*. But if you can accept the fact that this society will criminalize anyone that they feel needs it, then you can understand that if they saw evidence of real resistance through the barrel of a gun in this society, they will certainly make every effort to crush it by any means they can.

Q: *It seems like so much of this, in all these trials you were able to reach a jury and show a human side to this person. It sounds like part of what you do is convince them that she is a human being in addition to doing all of the legal stuff. It would seem on some level that that had to be done because there was so much misinformation, so many lies. These people were so far removed from Assata that one of the strategies seems to be to dehumanize these people, and I am wondering if you can describe how you felt when you looked at the juries at some points and just felt fear that you could not reach them.*

A: Never. Number one, Assata was my client and Assata is very personable. She was co-counsel with me on every case. She made the opening statement to the jury. So the jury had the opportunity to see her, to respond to her without her having to undergo the risk of cross examination. In that presentation she was fearless. She identified herself as being in principle a member of what should legitimately be even if it wasn't —a Black Liberation Army. And she asked the jury, 'But do not judge me on any association. Judge me on whether or not evidence is introduced that would convict me.' That was one thing.

The other thing is that there never was any evidence against her. There were shoddy cases, anyone could have shot them down. I wasn't brilliant — there just was nothing there. If you read the book, I describe every single case and how every piece of evidence just disappeared, absolutely disintegrated. They had a very special FBI person, for example, to compare the surveillance shots with the comparison photographs. He was the best in the country. He said, 'Well, no I cannot say this is Assata, I can't make that comparison because it was not her.' You had the bank manager who said 'I saw her, I can identify her, not only that, I have been trained to identify bank robbers, I have been trained to do that.' And on cross-examination Stanley Cohen was incidentally the lawyer for this case —I needed an adjournment to try another case to try to earn a living to help pay for all of this stuff. Well, it is not all

that expensive if you don't have to pay a high-powered lawyer. If that comes free you can kind of manage the rest of it.

Q: But you went through so many motions and so many trials and so many indictments. As soon as you finished with one, they move over to somewhere else.
A: Well the family provided for me and I had been doing very well. When I left New York University to represent her, I figured it would be for a year and I had saved money. My lifestyle is quite simple. And I told Assata, listen I got enough bread and I can do this for a year or so because I figured it would all be over in about a year. 'No problem we can manage this one.' So of course, it continued for seven years, but the family helped and my very good friend, Isodora Burke, who I mentioned in the book also helped because she is a rich woman. We managed, it wasn't easy all the time, I mean financially, but we managed. You know, I was never appointed to represent her. We got our own experts, we just did. But you must remember when you have a brilliant lawyer, a strategist, you don't really need very much of anything else regardless of O.J. Simpson and his battery of specialists. You can do pretty well if you have got a little mind up here and a little dedication. You can do OK.

Q: Why are so many people incarcerated for illegal substances?
A: You know that if you are arrested for cocaine, powdery cocaine, you will serve a sentence that will be ninety percent shorter than a person who's arrested with crack cocaine. There is a political reason for that. Black people use crack cocaine. Rich white people use cocaine.

Most Black people use crack cocaine, because it is made very cheap for them. It is very accessible to them, and it is so easy to arrest them. They get long sentences for crack cocaine. Walk down white Wall Street any day when the exchanges are open. Go into the board room. The leaders of your world are making decisions based on cocaine. That's why Dow Jones goes up and down.

Q: Is there any concern that if the United States should improve relationships with Cuba like they have in other so-called enemy countries, or if Castro were to go out of power that they would try to offer her up and send her back here?
A: I don't think that there is any question that that effort would be made. Absolutely no question in my mind. I think that as long as Fidel is there that she is OK. But when he goes, she is going to be returned. I have answered this question before with these words: Let us continue to trust the child, she will find a way.

Q: What do you think makes her so strong?
A: I don't know because, well, she has always been stubborn. Let's kind of start with as a kid. You know she had a mind of her own and I could give a lot of little incidents about that stubbornness, that strength. But I will just give you one little thing. When she was going to high school, she lived with me. You know I raised her from about thirteen. She was going to high school and she was taking Spanish. They taught you Spanish with a Castilian "c" sound, "th" instead of the "s" sound which is the Latino way of speaking. And Assata, she had many

Puerto Rican friends and she said, 'Well that is ridiculous. That is not Spanish. I mean how can they force me to say "th" for "c" when it is "s."' And she refused to do it. She had that kind of stubbornness. And Assata said, 'I know as much as that teacher knows.'

Q: And also when you were a parent you must have given her a lot of encouragement to be stubborn in what she believed in. I don't think you can get that on your own.
A: Probably. What [you are] really saying is she was spoiled. No, I did, I tell you. Well I discuss it in the book, but when Assata was born, my sister had had a uterine malformation and she was ordered not ever to have children. So when Assata was conceived, we were all absolutely crazy for nine months. Shortly after that, Doris, her mother, separated and Doris returned to live with us in our house in Queens. My room was the middle room right next to where Doris was with the baby and the bassinet. But Doris had to stay in bed for a month. Assata would —I called her Joey then— when Joey would wake up in the middle of the night, I would be the person to run in and run downstairs to the kitchen and heat the bottle and rock her back to sleep and put her back in the bassinet.

From that moment she spent many, many weekends with me. That was my child. When she came, you know we went to museums; I loved the cultural life in New York. And of course she was an independent thinker, and I said, well, we have to talk about this. She came to live with me of course until she was about nineteen. So yes, I would say that I was influential and I just loved her as my child and beyond any question. That is why so much of representing her was painful because she wasn't just a relative, she was almost my child.

Q: Did she complete a second book now?
A: It will be a political analysis kind of a book talking about Cuba and so forth, and helping us understand that part of the Caribbean.

Q: What was the point where you became not just a radical lawyer, but your own awareness that the US system was not just corrupt or weak but really needing to be changed from the inside out? Where is that turning point for you or maybe there wasn't a dramatic turning point. I asked that question because I read the two books in tandem, and the beauty of your book is that you have a very subtle analysis of what could be called the professional person's increasing awareness of the system and resistance to it. Whereas with Assata's book, it focuses more on what her grandmother called "the alley rat people," the down and out people. So when you read the two together you get a sense of the whole family. For example the comments that you make about being educated, having money, that was helpful for me because you saw how the two can feed into the same revolutionary direction.
A: Oh, no. It was quite accidental, I think. It is an accident if you have your education. Accidental in the sense that it is a weed that has managed to survive through this clutter, this degradation and that just incorporates the whole African American and other people of color communities. It nevertheless survives —but

accidentally, I think. Not accidentally in that sense that the soul wasn't there that enabled that strength to go. I think, in terms of my turning point, I think it goes back to when I was a kid listening to my parents tell me about the Klu Klux Klan violating the privacy of their backyard with their white sheets and threatening to kill them. From a little child I had been aware. I had a family, as opposed to other African American families, who are not ashamed or afraid to share the degradation of the life of the slave and before slavery in Africa and after slavery, and who are not ashamed of all the humiliations that have been imposed on us by this society. They are ashamed to share that with their children. They don't want to talk about it. What slavery was like, what it is to be an African American, why we should not be ashamed? They just won't. Mine did. We talked about it all the time. We could not look at Amos and Andy, for example, absolutely not, that denigrated Black people.

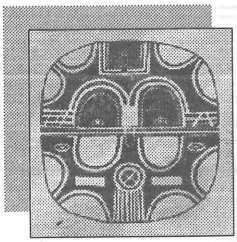
I have always known that I was Black in a hostile society, that was designed to annihilate me. I mean when it took an executive order for my father —who had been doing very well, but was unemployed in the Great Depression— when it took an executive order to say you must put Black people in defense factories, make guns to kill other people, I can assure you that I understood what racism was all about. I never had any question about it. As I said, I have a line in the book that says my parents did not teach my sister and me that we could be president of the United States. Nor did they teach us to make the sick adjustment of loving America, and that says it all.

Notes

[1] Karen Johnson, the bookstore manager in San Francisco and daughter of Julian and Raye Richardson, its founders. Marcus Books in San Francisco and Oakland is the largest Black bookstore in the United States.

[2] Proposition 187, passed in California, severely restricts immigrant access to social services.

[3] The legal designs of the RICO law have been incorporated into the Crime Bill of 1995.



FEET DON'T FAIL ME NOW

Assata Shakur

On November 2, 1979, Assata Shakur escaped from the Clinton Correctional Facility in New Jersey. She now lives in Cuba which offers her refuge as an ex-political prisoner.

My grandmother came all the way from North Carolina. She came to tell me about her dream. My grandmother had been dreaming all her life, and the dreams have come true. My grandmother dreams of people passing and babies being born and people being free, but it is never specific. Redbirds sitting on fences, rainbows at sunset, conversations with people long gone. My grandmother's dreams have always come when they were needed and have always meant what we needed them to mean. She dreamed my mother would be a school teacher, my aunt would go to law school, and, during the hard times, she dreamed the good times were coming. She told us what we needed to be told and made us believe it like nobody else could have. She did her part. The rest was up to us. We had to make it real. Dreams and reality are opposites. Action synthesizes them.

I was extremely pleased that she had come. Her air was confident and victorious. The rest of the family prompted her to tell me her dream.

"You're coming home soon," my grandmother told me, catching my eyes and staring down into them. "I don't know when it will be, but you're coming home. You're getting out of here. It won't be too long though. It will be much less time than you've already been here."

Excited, i asked her to tell me about her dream. We were all talking, i noticed in a conspiratorial tone.

"I dreamed we were in our old house in Jamaica. I don't know if you remember that house or not."

I assured her that i did.

"I dreamed that i was dressing you," she said, "putting your clothes on."

"Dressing me?" i repeated.

"Yes, dressing you."

Fear ran up and down my back. "Was i little or grown?"

"You were grown up in my dream."

I felt slightly sick. Maybe my grandmother dreamt about my death. Maybe she dreamt that i was killed while trying to escape. Why else

would she be dressing me, if i wasn't dead? My grandmother caught my drift of thought.

"No, you're all right. You're alive. It's just as plain as the nose on your face. You're coming home. I know what I'm talking about. Don't ask me to explain it anymore, because I can't. I just know you're going to come home and that you're going to be all right."

I drilled her for more details. Some she gave and some she didn't. Finally, after i had asked a thousand questions, my grandmother let all the authority show in her voice. "I know it will happen, because I dreamt it. You're getting out of this place and I know it. That's all there is to it."

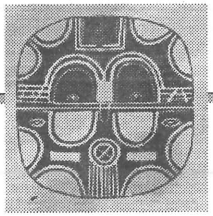
My grandmother sat looking at me. There was a kind of smile on her face i can't describe. I knew she was serious. My grandmother's dreams were notorious: her dreams came true. All her life her uncanny senses have been like radar, picking up and identifying all kinds of things that we don't even see. My family and i just sat there vibing on each other. Talking and laughing, bringing up old memories and telling funny stories. Calmness rolled down my body like thick honey.

When i got back to my cell i thought about it all. No amount of scientific, rational thinking could diminish the high that i felt. A tingly, giddy excitement had caught hold of me. I had gotten drunk on my family's arrogant, carefree optimism. I literally danced in my cell, singing, "Feet, don't fail me now." I sang the feet part real low, so i guess the guards must have thought i was bugging out, stomping around my cage singing, "feet," "feet." (pp. 260 - 261)

* *Assata: An Autobiography*, Chapter 21 by Zed Press 1987. Reprinted by permission of Lawrence Hall Books.

I don't think that people in the U. S. are aware of how important it is to support Cuba; how much Cuba has supported progressive struggle within the U. S. They've always taken a principled position in solidarity with oppressed people in the U. S. And we have a duty to return that and to take a view toward Cuba in a very principled way, not in any kind of chauvinistic way. I think that it's important for people . . . to support Cuba's self-determination.

—from "Assata and Religion"



Karen Johnson

Karen Johnson *is an artist and writer. She is the manager of Marcus Books in San Francisco. Her husband, Greg, and she have five children and two grandchildren.*

THE KHA

(song) The Beat

For Love the challenge is in letting go.
For Love, the spirit has to flow.
At the center is the heart.
It nurtures every single part
And needs the spirit to make it strong.
But without sharing it can't last long.
At its top, it has soft skin.
And this is where the heart gives in.
Only in surrender does it become,
Beaten by its mind: The Drum.

For wisdom, the challenge is in an open mind,
To see itself in all mankind.
By always seeking a current truth,
Aged wisdom holds its youth.
At the End and in the cold,
An open mind is always bold.
It won't let others even near it,
But thrives on freeing every spirit.
And though it's in the upper part,
To be a Drummer takes a lot of heart.

When the life sentence ends, it is punctuated by the period that contains the workings of a new life: Death. Within that period, that seed, that infinite Black Dot, the spirit that has the strength to love and the will to change is called the Kha. The more the Kha meets its challenges in death, the higher realm, the more bountiful is its return.

INTRODUCTION

The Kha, *this prose/poem/play/story reads like jazz, like gospel, like the blues. Absorb its layered symbolism. Read as far into the past as Eden and Egypt. Look as far into the future as personal death and rebirth. This chorale poem is storied from life through death to birth. Shedding the skin of our every day death of night-sleep and day-wake, this is truly a cyclical genesis life story.*

The Kha *is a journey full of magic and wisdom in three parts: death in a hospital room; the timeless experience of consciousness, and the birth of a child to a loving couple. This symbolic narrative is intended to be read, chanted, and sung on many levels as a wondrous and magical cyclical life story of our race. Sections 7 through 15 represent the second cycle of consciousness structured around the symbol of the family tree.*

by Chinosole

scene seven: Echo

He falls through the blackness, through his conscience, and, like a pebble rippling still water, through rings of expectations. Full of fear, he screams, and huge, fearful faces ring around his fall and scream *back* at him. Struck with wonder, he falls through a ring of *surprised* faces and becomes consciously aware that the wondrous walls are echoing his beliefs. He decides to trust the blackness, to trust himself, and believing he will get what he needs, he floats, light as a leaf, resounding peace; his mind opened like a parachute.

scene eight: Mud Pi

Thud.

He plops like a pie onto mud. He is thankful for the gentle landing and laughs at himself *with* the humbling earth. He is seeking solidity in the slick, unseeable-thickness-that-sticks for something substantial to grasp. He feels a form and follows the root that leads his eyes toward a humongous tree made of millions of Blackpeople entwined. He can only see its bottom, its top towering beyond the clouds. Some of the Blackpeople have gnarled, tortured faces, some faces are placid, some joyous, but *all* are familiar. He would like to board the root to join them but he slips in the mud.

Anxiety threatens to turn the mud to concrete as fear begins to set. An echo catches up to him and reminds him to "Be leaf!" and he relaxes. The silence gives birth to a beat that swells within, and pulls out from the tree in the form of a man who has the living face of the Sphinx, wisdom etched-in. With arms of quiet might, sensual as finely carved, sanded and polished wood, The Man steps out from the tree, reaches out and down to the son and pulls him only half-way out of the mud. The son gets a foothold onto the root and The Man tightens his grip, not allowing the son to slip backwards or forward. The son looks down at the mud as though it were now a crocodile, and silently *pleads* to The Man for compassion. As the son looks deeper, the face of The Man turns faceless and screens his story.

scene nine: Traveling Expense

Deep swells of ocean waves rock the slave ship and inside the slave ship's belly, a square of light is barred high and to the left. The crick crack of the wood moans like the crumpling back of the cargo. The slow beat of a Conga drum thuds
ba ba ba ba/ba ba bum.
ba ba ba ba/ba ba bum.
ba ba ba ba/ba ba bum for a slow-dance with death.

(song) *Kinship Keeps My Life Afloat* (each syllable of this sentence begins a "round". When the rounds are sung back together in syncopation, they make up the sentence "Kin-ship-Keeps-My-Life-A-Float")
'kin you speak my language?
Answer me with eyes.
Have you seen my fam'ly
My se pa ra ted ties?
'kin you speak my language?
'kin you speak my language?

Shipped my body, not my soul.
Shipped my body, not my soul.
My soul waived "good-bye" to me.
Said we'd unite when I was free.
Liberty is now my goal since they
Shipped my body, not my soul.

Keep the children wise and watchful.
Keep the children wise and watchful.
Monsters stay up all the night
And plot to fill their lives with fright.
Dress them in your best insight and
Keep the children wise and watchful.

MY responsibility . . .
MY responsibility . . .
MY responsibility is to set my family free.
Pieces of a broken bone,
Splinters, we are so alone.
Gluing up the family tree, that's
MY responsibility . . .
LIFE sleeps with death.
LIFE sleeps with death.
To keep the way to heaven clean,
Hide hope in a *secret* thing.

Salvation comes through whispering
And only *silent* drums can tell.
When life sleeps with death,
Be silent as hell.

A-gain, I should a' seen this coming!
A-gain, I should a' seen this coming!
Pain and shame surrounding me,
Should a' lived more seriously!
A-gain, I should a' seen this coming!

FLOAT my spear from home to me.
FLOAT my spear from home to me.
Unite a million billion eyes.
Pierce the demon's deadly lies.
My determined little plea: Just
FLOAT my spear from home to me.

scene ten: Root of Wisdom

Two man-like creatures come down from the right, one in white, the other in gray. They are armored in the mail of heartlessness that calls the ravaged "savage." Stepping over wretched anguish, they are oblivious to humanity so inhumanely nailed to the one cross of the ship's floor (for economical purposes, one cross takes up less space). The gray one points out a Black one who is shivering, wasting too fast. The gray kicks The Man on the ground to assure the White that he's handleable. The gray one kicks him where he believes his manhood lies, hoping that it will kill him, if he's not already dead, or at least make *him* pay for the powerlessness the gray one feels around women that he's not "supposed" to feel. Assured that no reaction to an assault on his manhood must mean he's too near death for profit, back upstairs goes the White, leaving the gray one to prepare the corpse for a toss overboard. The Man, still, helpless, allows his enemy to unshackle him. First his wrists, then his ankles. When the gray comes closer to lift and carry The Man up and over, in a snap, The Man wraps his chains around the gray neck strangling him for good. Shortly, two Whites come down, irritated at the time it's taking to toss a "boy," and realize, too late, that the gray has been missing long enough for a few Men to unlock themselves, hide the body and pose as slaves, shackled. Swiftly, silently, two Whites are no more. Men pour up the stairs. Behind them, more chains undo. The key has spread.

THE KHA: Excerpt Two begins on p. 128

NEW AFRIKAN PRISON STRUGGLE

Sundiata Acoli

Sundiata Acoli, *currently a New Afrikan political prisoner of war, has worked consistently for Black liberation since the 1960s. (See end of the article for additional background, p. 81.)*

EARLY HISTORY UP TO 1960

The Afrikan prison struggle began on the shores of Afrika behind the walls of medieval pens that held captives for ships bound west into slavery. It continues today behind the walls of modern U.S. penitentiaries where all prisoners are held as legal slaves in blatant violation of international law.

One aspect of prison ideology began to form as far back as the reign of Louis XIV of France (1643-1715) when the Benedictine monk Mabillon wrote that: ". . . penitents might be secluded in cells like those of Carthusian monks, and there being employed in various sorts of labor."[1] In 1790, on April 5th, the Pennsylvania Quakers actualized this concept as the capstone of their 14-year struggle to reform Philadelphia's Walnut Street jail. No longer would corporal punishment be administered. Henceforth prisoners would be locked away in their cells with a Bible and forced to do penitence in order to rehabilitate themselves.[2] Thus was born the penitentiary.

In 1850, approximately 6,700 people were found in the nation's newly emerging prison system.[3] Almost none of the prisoners were Black.[4] They were more valuable economically outside the prison system because there were other means of racial control. During this time most New Afrikan (Black) men, women, and children were already imprisoned for life on plantations as chattel slaves. Accordingly, the Afrikan struggle behind the walls was carried on primarily behind the walls of slave quarters through conspiracies, revolts, insurrections, arson, sabotage, work slowdowns, poisoning of the slavemaster, self-maimings, and runaways. If slaves were recaptured, they continued the struggle behind the walls of the local jails, many of which were first built to hold captured runaways. Later they were also used for local citizens. Shortly after 1850 the imprisonment rate increased, then remained fairly stable with a rate of between 75 and 125 prisoners per 100,000 population.[5] The Afrikan struggle continued

primarily behind the slave-quarter's walls down through the issuance of the Emancipation Proclamation.

Immediately after the Civil War and at the end of slavery, vast numbers of Black males were imprisoned for everything from not signing slavelike labor contracts with plantation owners to looking the "wrong" way at some white person,[6] or for some similar "petty crime." Any "transgression" perceived by whites to be of a more serious nature was normally dealt with on the spot with a gun or rope . . . provided the Black was outnumbered and outarmed. "Black-on-Black" crime was then, as now, considered to be "petty crime" by the U.S. justice system. But petty or not, upon arrest most New Afrikans were given long, harsh sentences at hard labor. Within five years after the end of the Civil War, the Black percentages of the prison population went from close to zero to 33 percent. Many of these prisoners were hired out to whites at less than slave wages.[7] Overnight, prisons became the new slave quarters for many New Afrikans. Likewise the Afrikan prison struggle changed from a struggle behind the walls of slave quarters to a struggle behind the walls of county workhouses, chain gang camps, and the plantations and factories that used prisoners as slave laborers.

From 1910 through 1950, Blacks made up 23 to 34 percent of the prisoners in the U.S. prison system.[8] Most people, conditioned by the prison movies *The Defiant Ones* (starring Sidney Poitier, a Black, and Tony Curtis, a white), or *I Escaped From the Chain Gang* (starring Paul Muni, a white in an integrated chain gang), or *Cool Hand Luke* (starring Paul Newman, a white, in a Southern chain gang) erroneously assume that earlier U.S. prison populations were basically integrated. This is not so. The U.S. was a segregated society prior to 1950, including the prisons; even the northern ones. Most New Afrikan prisoners were sent to county workhouses, Black chain gangs, and obscure negro prisons. Thus, the early populations of the more well-known or "mainline" state and federal prisons: Attica, Sing Sing, Alcatraz, and Atlanta were predominantly white and male. Whenever New Afrikans were sent to these "mainline" prisons they found themselves grossly outnumbered, relegated to the back of the lines, to separate lines, or to no lines at all. They were often denied outright what meager amenities existed within the prisons. Racism was rampant. New Afrikans were suppressed by both white prisoners and guards. All of the guards were white —there were no Black guards or prison officials at the time. The Afrikan prisoners continued to struggle behind the walls of these segregated county workhouses, chain gang camps, and state and federal prisons, yet prison conditions for them remained much the same through World War II. Inside conditions accurately reflected conditions of the larger society outside the walls, except by then the state's electric chair had mainly supplanted the lynch mob's rope.

Things began to change in the wake of World War II. Four factors flowing together ushered in these changes. They were the ghetto population explosion, the drug influx, the emergence of independent Afrikan nations, and the Civil Rights Movement.

As northern discrimination, bulging ghettos, and the drug influx were setting off a rise in New Afrikan numbers behind the walls, Southern segregation, the

emergence of independent Afrikan nations, and the resulting Civil Rights Movement provided those increasing numbers with the general political agenda: equality and antidiscrimination.

Meanwhile, behind the walls, small segments of the New Afrikan population began rejecting Western Christianity; they turned to Islam as preached by Elijah Muhammad's Nation of Islam (NOI) and Noble Drew Ali's Muslim Science Temple of America (MST). The NOI preached that Islam was the true religion of Black people and that Blacks in America were a nation needing land and independence. The MST preached that the Asiatic Black people in America must proclaim their nationality as members of the ancient Moors of Northern Africa. These new religions produced significant success rates in helping New Afrikan prisoners rehabilitate themselves by instilling them with a newfound sense of pride, dignity, piety, and industriousness. Yet these religions seemed strange and thus threatening to prison officials. They moved forthwith to suppress these religions, and many early Muslims were viciously persecuted, beaten, and even killed for practicing their beliefs. The Muslims fought back fiercely.

Like American society, the prisons were rigidly segregated. New Afrikans were relegated to perform the heaviest and dirtiest jobs: farm work, laundry work, dishwashing, garbage disposal; and were restricted from jobs as clerks, straw bosses, electricians, or any position traditionally reserved for white prisoners. Similar discriminatory rules applied to all other areas of prison life. New Afrikans were restricted to live in certain cell blocks or tiers, eat in certain areas of the mess hall, and sit in the back at the movies, TV room, and other recreational facilities.

Influenced by the anti-discrimination aspect of the Civil Rights Movement, a growing number of New Afrikans behind the walls began stepping up their struggle against discrimination in prison. Audacious New Afrikans began violating longstanding segregation codes by sitting in the front seats at the movies, mess hall, or TV areas and more than a few died from shanks in the back. Others gave as good as they got, and better. Additionally, New Afrikans began contesting discriminatory job and housing policies and other biased conditions. Many were set up for attack and sent to the hole for a year, or worse. Those who were viewed as leaders were dealt with most harshly. Most of this violence came from prison officials and white prisoners protecting their privileged positions; some violence also came from New Afrikans and Muslims protecting their lives, taking stands and fighting back. From these silent, unheralded battles against racial and religious discrimination in prisons emerged the New Afrikan liberation struggle behind the walls during the '50s Civil Rights era. Eventually the courts, influenced by the "equality/anti-discrimination" aspect of the Civil Rights Movement, would rule that prisons must recognize the Muslims' religion on an "equal" footing with other accepted religions, and that prison racial discrimination codes must be outlawed.

BLACK POWER AND THE BLACK LIBERATION ERA

As the Civil Rights Movement advanced into the '60s, New Afrikan college students waded into the struggle with innovative lunch counter sit-ins, freedom rides, and voter registration projects. The Student Nonviolent Coordinating

Committee (SNCC) was formed during this period to coordinate and instruct student volunteers in nonviolent methods of organizing voter registration projects and other Civil Rights work.[9] These energetic young students, and the youth in general, served as the foot soldiers of the movement. They provided indispensable services, support, and protection to local community leaders such as Mississippi's Fannie Lou Hamer, Ella Baker, and other heroines and heroes of the Civil Rights Movement. Although they met with measured success, white racist atrocities mounted daily on defenseless civil rights workers.

Young New Afrikans in general began to grow increasingly disenchanted with the non-violent philosophy of Martin Luther King. Many began to look increasingly toward Malcolm X, the fiery young minister of NOI Temple No. 7 in Harlem, New York.

Clarence 13X (Smith) was expelled from Harlem's Nation of Islam Temple No. 7 in 1963 because he wouldn't conform to NOI practices. He frequently associated with the numerous street gangs that abounded in New York City at the time and felt that the NOI didn't put enough effort into recruiting these youth. After being expelled, he actively recruited among these street gangs and other wayward youth, and by '64 he had established his own "movement" called "The Five Percenters." The name comes from their belief that 85 percent of Black people are like cattle. They continue to eat the poisoned animal (the pig). They are blind to the truth of God. They continue to give their allegiance to people who don't have their best interests at heart. Ten percent of Black people are bloodsuckers —the politicians, preachers, and other parasitic individuals who get rich off the labor and ignorance of the docile exploited 85 percent. The remaining five percent are the poor righteous teachers of freedom, justice, and equality who know the truth of the "Black" God and are not deceived by the practices of the bloodsucking ten percent.[10] The Five Percenter movement spread throughout the New York State prison system and the Black ghettos of the New York metropolitan area.

In December 1965 Newark's Mayor Hugh Addonizio witnessed a getaway car pulling away from a bank robbery and ordered his chauffeur to follow with siren blasting. The fleeing robbers crashed into a telephone pole, sprang from their car and fired a shot through the Mayor's windshield. He screeched to a halt, and police cars racing to the scene captured Muhammad Ali Hassan, known as Albert Dickens, and James Washington. Both were regular attendees of Newark's NOI Temple No. 25, headed by Minister James 3X Shabazz. Ali Hassan and Washington were members of the New World Nation of Islam (NWI). Ali Hassan, its leader and Supreme Field commander, dates the birth of the New World Nation of Islam as February 26, 1960. He states that on that date Elijah Muhammad authorized the New World Nation of Islam under the leadership of Field Supreme Minister Fard Savior and declared that the Field Minister had authority over all the NOI Muslims. Ali Hassan and Washington were convicted for the bank robbery and sent to Trenton State Prison.

The NWI's belief in the supreme authority of Fard Savior was rejected by NOI Minister Shabazz, and thereafter an uneasy peace prevailed between the followers of Shabazz, who retained control of Newark's NOI Temple No. 25 and the

followers of the NWI who sought to gain control.

Meanwhile, Ali Hassan published a book titled *Uncle Yah Yah* and ran the NWI from his prison cell. Along with the more established and influential NOI, the influence of the NWI spread throughout the New Jersey state prison system and the metropolitan Jersey ghettos. The NWI began setting up food co-ops, barbershops, houses to teach Islam, and printing presses; and purchased land in South Carolina, all in furtherance of creating an independent Black Nation.[11]

Midstride the '60s, on February 21, 1965, Malcolm was assassinated, but his star continued to rise and his seeds fell on fertile soil. The following year, October 1966 in Oakland, California, Huey P. Newton and a handful of armed youths founded the Black Panther Party for Self Defense on principles that Malcolm had preached, and the Black Liberation Movement (BLM) was born.

The Panthers rolled eastward, establishing offices in each major northern ghetto. As they went, they set up revolutionary programs in each community that were geared to provide community control of schools, tenant control of slum housing, free breakfast for school children, free health, day care, and legal clinics, and free political education classes for the community. They also initiated campaigns to drive dope pushers and drugs from the community, and campaigns to stop police murder and brutality of Blacks. As they went about the community organizing these programs, they were frequently confronted, attacked, or arrested by the police, and some were even killed during these encounters.

Other revolutionary organizers suffered similar entrapments. The Revolutionary Action Movement's (RAM) Herman Ferguson and Max Stamford were arrested in 1967 on spurious charges of conspiring to kill civil rights leaders. In the same year Amiri Baraka (the poet and playwright LeRoi Jones) was arrested for transporting weapons in a van during the Newark riots and did a brief stint in Trenton State Prison until a successful appeal overturned his conviction. SNCC's Rap Brown, Stokely Carmichael, and other orators were constantly threatened or charged with "inciting to riot" as they crisscrossed the country speaking to mass audiences. Congress passed so-called "Rap Brown" laws to deter speakers from crossing state lines to address mass audiences lest a disturbance break out, leaving them vulnerable to federal charges and imprisonment. And numerous revolutionary organizers and orators were being imprisoned.

This initial flow of revolutionaries into the jails and prisons began to spread a revolutionary nationalist hue through New Afrikans behind the walls. New Afrikan prisoners were also influenced by the domestic revolutionary atmosphere and the liberation struggles in Afrika, Asia, and Latin America. Small groups began studying on their own, or in collectives, the works of Malcolm X, Huey P. Newton, The Black Panther newspaper, *The Militant* newspaper, contemporary national liberation struggle leaders Kwame Nkrumah, Jomo Kenyatta, Frantz Fanon, Che Guevara, Fidel Castro, Ho Chi Minh, and Mao Tse-tung, plus Marx, Lenin, and Bakunin too. Increasing numbers of New Afrikan and Third World prisoners became more conscious of national liberation politics. The percentages of New Afrikan and Third World prisoners increased while the percentage of white prisoners decreased throughout U.S. prisons. Under this onslaught of rising

national liberation consciousness, increased percentages of New Afrikan and Third World prisoners, and decreased numbers of white prisoners, the last of the prisons' overt segregation policies fell by the wayside.

The seeds of Malcolm took further root on March 29,1968. On that date the provisional government of the Republic of New Afrika (RNA) was founded at a convention held at the Black-owned Twenty Grand Motel in Detroit. Over 500 grass-root activists came together to issue a Declaration of Independence on behalf of the oppressed Black Nation inside North America, and the New Afrikan Independence Movement (NAIM) was born.[12] Since then Blacks desiring an independent Black Nation have referred to themselves and other Blacks in the U.S. as New Afrikans.

That same month, March '68, during Martin Luther King's march in Memphis, angry youths on the fringes of the march broke away and began breaking store windows, looting, and firebombing. A sixteen-year-old-boy was killed and 50 people were injured in the ensuing violence.[13] This left Martin profoundly shaken and questioning whether his philosophy was still able to hold the youth to a non-violent commitment. On April 4th he returned to Memphis, seeking the answer through one more march, and found an assassin's bullet. Ghettos exploded in flames one after another across the face of America. The philosophy of Black Liberation surged to the forefront among the youth. But not the youth alone. Following a series of police provocations in Cleveland, on July 23, 1968, New Libya Movement activists there set an ambush that killed several policemen. A "fortyish" Ahmed Evans was convicted of the killings and died in prison ten years later of "cancer."

More CIA dope surged into the ghettos from the Golden Triangle of Southeast Asia. Revolutionaries stepped up their organizing activities on both sides of the walls. Behind the walls the New Afrikan percentage steadily increased.

In 1969 COINTELPRO launched its main attack on the Black Liberation Movement in earnest. It began with the mass arrest of Lumumba Shakur and the New York Panther Twenty-One. It followed with a series of military raids on Black Panther Party offices in Philadelphia, Baltimore, New Haven, Jersey City, Detroit, Chicago, Denver, Omaha, Sacramento, and San Diego, and was capped off with a four-hour siege that poured thousands of rounds into the Los Angeles BPP office. Fortunately, Geronimo ji Jaga, decorated Vietnam vet, had earlier fortified the office to withstand an assault, and no Panthers were seriously injured. However, repercussions from the outcome eventually drove him underground. The widespread attacks left Panthers dead all across the country —Fred Hampton, Mark Clark, Bunchy Carter, John Huggins, John Savage, Walter Toure Pope, Bobby Hutton, Sylvester Bell, Frank "Capt. Franco" Diggs, Fred Bennett, James Carr, Larry Robeson, Spurgeon "Jake" Winters, Alex Rackley, Arthur Morris, Steve Bartholomew, Robert Lawrence, Tommy Lewis, Nathaniel Clark, Welton Armstead, Sidney Miller, Sterling Jones, Babatunde Omawali, Samuel Napier, Harold Russle, and Robert Webb among others.[14] In the three years after J. Edgar Hoover's infamous COINTELPRO memorandum, dated August 25, 1967, thirty-one members of the BPP were killed,[15] nearly a thousand were arrested, and key leaders

were sent to jail. Others were driven underground. Still others, like BPP field marshal Donald "D.C." Cox, were driven into exile overseas.

Also in '69. Clarence 13X, founder of the Five Percenters, was mysteriously murdered in the elevator of a Harlem project building. His killer was never discovered and his adherents suspect government complicity in his death.

The RNA was similarly attacked that year. During their second annual convention in March '69, held at Reverend C.L. Franklin's New Bethel Church in Detroit, a police provocation sparked a siege that poured 800 rounds into the church. Several convention members were wounded; one policeman was killed, another wounded, and the entire convention, 140 people, was arrested en masse. When Reverend Franklin (father of "The Queen of Soul," singer Aretha Franklin) and Black state representative James Del Rio were informed of the incident they called Black Judge George Crockett, who proceeded to the police station where he found total legal chaos. Almost 150 people were being held incommunicado. They were being questioned, fingerprinted, and given nitrate tests to determine if they had fired guns, in total disregard of fundamental constitutional procedures. Hours after the roundup, there wasn't so much as a list of persons being held and no one had been formally arrested. An indignant Judge Crockett set up court right in the station house and demanded that the police either press charges or release their captives. He had handled about fifty cases when the Wayne County prosecutor, called in by the police, intervened. The prosecutor promised that the use of all irregular methods would be halted. Crockett adjourned the impromptu court, and by noon the following day the police had released all but a few individuals who were held on specific charges.[16] Chaka Fuller, Rafael Viera, and Alfred 2X Hibbits were charged with the killing. All three were subsequently tried and acquitted. Chaka Fuller was mysteriously assassinated a few months afterwards.[17]

Revolutionaries nationwide were attacked and/or arrested, Tyari Uhuru, Maka, Askufo, and the Smyrna Brothers in Delaware, JoJo Muhammad Bowens and Fred Burton in Philadelphia, and Panthers Mondo Langa, Ed Poindexter, and Veronza Daoud Bowers, Jr., in Omaha. Police mounted an assault on the Panther office in the Desiree Projects of New Orleans which resulted in several arrests. A similar attack was made on the People's Party office in Houston. One of their leaders, Carl Hampton, was killed by police and another, Lee Otis Johnson, was arrested later on an unrelated charge and sentenced to 41 years in prison for alleged possession of one marijuana cigarette.

Like the Panthers, most of those arrested brought their philosophies with them into the prisons. Likewise, most had outside support committees to one degree or another so that this influx of political prisoners linked the struggle behind the walls with the struggles in the outside local communities. The combination set off a beehive of political activity behind the walls, and prisoners stepped up their struggle for political, Afrikan, Islamic, and academic studies, access to political literature, community access to prisons, an end to arbitrary punishments, access to attorneys, adequate law libraries, relevant vocational training, contact visits, better food, health care, housing, and a myriad of other struggles. The forms of prison struggle ranged from face-to-face negotiations to mass petitioning, letter-writing

and call-in campaigns, outside demonstrations, class action law suits, hunger strikes, work strikes, rebellions, and more drastic actions. Overall, all forms of struggle served to roll back draconian prison policies that had stood for centuries, and to further the development of the New Afrikan liberation struggle behind the walls.

These struggles would not have been as successful, or would have been much more costly in terms of lives lost or brutality endured, had it not been for the links to the community and community support that political prisoners brought with them into the prisons. Although that support was not always sufficient in quantity or quality, or was sometimes non-existent or came with hidden agendas and was marked by frequent conflicts, on the whole it was this combination of resolute prisoners, community support, and legal support which was most often successful in prison struggle.

As the '60s drew to a close New Afrikan and Third World nationalities made up nearly 50 percent of the prison population. National liberation consciousness became the dominant influence behind the walls as the overall complexion neared the changeover from white to black, brown, and red. The decade-long general decrease in prisoners, particularly whites, brought a drop of between 16,000[18] and 28,000[19] in total prison population. The total number of white prisoners decreased between 16,000 and 23,000 while the total number of New Afrikan prisoners increased slightly or changed insignificantly over the same period.[20] Yet the next decade would begin the period of unprecedented new prison construction, as the primary role of U.S. prisons changed from "suppression of the working classes" to "suppression of domestic Black and Third World liberation struggles inside the U.S."

A California guard rated as an expert marksman opened the decade of the '70s with the January 13th shooting at close range of W.L. Nolen, Cleveland Edwards, and Alvin "Jug" Miller in the Soledad prison yard. They were left lying where they fell until it was too late for them to be saved by medical treatment. Nolen, in particular, had just previously been instrumental in organizing protest of guard killings of two other Black prisoners, Clarence Causey and William Powell, at Soledad, and was consequently both a thorn in the side of prison officials and a hero to the Black prison population.[21] When the guard was exonerated of the triple killings two weeks later by a Board of Inquiry, the prisoners retaliated by throwing a guard off the tier. George Jackson, Fleeta Drumgo, and John Cluchette were charged with the guard's death and came to be known as the Soledad Brothers. California Black prisoners solidified around the chain of events in the Soledad Brothers' case and formed the Black Guerrilla Family (BGF). The Panthers spearheaded a massive campaign to save the Soledad Brothers from the gas chamber. The nationwide coalescence of prisoners and support groups around the case converted the scattered, disparate prison struggles into a national prison movement.

On the night of March 9, 1970, a bomb exploded killing Ralph Featherstone and Che Payne in their car outside a Maryland courthouse where Rap Brown was to appear next day on "Inciting to Riot" charges. Instead of appearing, Rap went

underground, was captured a year later during the robbery of a Harlem so-called "dope bar," and was sent behind the walls. He completed his sentence and was released from prison.

On August 7, 1970, Jonathan Jackson, younger brother of George, attempted to liberate Ruchell Cinque Magee, William Christmas, and James McClain from the Marin County courthouse in California. Jonathan, McClain, Christmas, and the trial judge were killed by SWAT teams who also wounded the prosecutor and paralyzed him for life. Miraculously, Ruchell and three wounded jurors survived the fusillade. Jonathan frequently served as Angela Davis's bodyguard. She had purchased weapons for that purpose, but Jonathan used those same weapons in the breakout attempt. Immediately afterward she became the object of an international "woman hunt." On October 13, Angela was captured in New York City and was subsequently returned to California to undergo a very acrimonious trial with Magee. She was acquitted on all charges. Magee was tried separately and convicted on lesser charges. He remains imprisoned to date.

On August 21, a guard shot and killed George Jackson as he bolted from a control unit and ran for the San Quentin wall. Inside the unit lay three guards and two trustees dead. The circumstances surrounding George Jackson's legendary life and death, and the astuteness of his published writing[22] left a legacy that inspires and instructs the New Afrikan liberation struggle on both sides of the wall even today, and will for years to come.

September 13, 1971, became the bloodiest day in U.S. prison history when New York's Governor Nelson Rockefeller ordered the retaking of Attica prison. The previous several years had seen a number of prison rebellions flare up across the country as prisoners protested widespread maltreatment and inhumane conditions. Most had been settled peaceably with little or no loss of human life after face-to-face negotiation between prisoners and state and prison officials. At Attica, black, brown, white, red, and yellow prisoners took over one block of the prison and stood together for five days seeking to negotiate an end to their inhumane conditions. Their now-famous dictum declared "We are men, not beasts, and will not be driven as such." But Rockefeller had presidential ambitions. The rebelling prisoners' demands included a political request for asylum in a non-imperialistic country. Rockefeller's refusal to negotiate foreshadowed a macabre replay of his father John D's slaughter of striking Colorado miners and their families decades earlier. Altogether 43 people died at Attica. New York State trooper bullets killed thirty-nine people, twenty-nine prisoners and ten guards in retaking Attica and shocked the world by the naked barbarity of the U.S. prison system. Yet the Attica rebellion too remains a milestone in the development of the New Afrikan liberation struggle behind the walls and a symbol of the highest development of multinational prisoner solidarity to date.

In 1973 the simmering struggle for control of Newark's NOI Temple No. 25 erupted into the open. Warren Marcello, a New World member, assassinated NOI Temple No. 25 Minister Shabazz. In retaliation several NWI members were attacked and killed within the confines of the New Jersey prison system, and before the year was out the bodies of Marcello and a companion were found beheaded in

Newark's Weequahic Park. Ali Hassan, still in prison, was tried as one of the co-conspirators in the death of Shabazz and was found innocent.

COINTELPRO's destruction of the BPP forced many members underground and gave rise to the Black Liberation Army (BLA) a New Afrikan guerrilla organization. The BLA continued the struggle by waging urban guerrilla war across the U.S. through highly mobile strike teams.[23] The government's intensified search for the BLA during the early 1970s resulted in the capture of Geronimo ji Jaga in Dallas, Dhoruba Bin-Wahad and Jamal Josephs in New York, Sha Sha Brown and Blood McCreary in St. Louis, Nuh Washington and Jalil Muntaqim in Los Angeles, Herman Bell in New Orleans, Francisco and Gabriel Torres in New York, Russel Haroum Shoats in Philadelphia, Chango Monges, Mark Holder, and Kamau Hilton in New York, Assata Shakur and Sundiata Acoli in New Jersey, Ashanti Alston, Tarik, and Walid in New Haven, Safiya Bukhari and Masai Gibson in Virginia, and others.[24] Left dead during the government's search and destroy missions were Sandra Pratt (wife of Geronimo ji Jaga, assassinated while visibly pregnant), Mark Essex, Woodie Changa Green, Twyman Kakuyan Olugbala Meyers, Frank "Heavy" Fields, Anthony Kimu White, Zayd Shakur, Melvin Rema Kerney, Alfred Kambui Butler, Ron Carter, Rory Hithe, and John Thomas, among others.[24] Red Adams, left paralyzed from the neck down by police bullets, would die from the effects a few years later.

Other New Afrikan freedom fighters attacked, hounded, and captured during the same general era were Imari Obadele and the RNA-Eleven in Jackson, Mississippi,[25] Don Taylor[26] and De Mau Mau of Chicago, Hanif Shabazz, Abdul Aziz, and the V1-Five in the Virgin Islands, Mark Cook of the George Jackson Brigade (GJB) in Seattle, Ahmed Obafemi of the RNA in Florida, Atiba Shanna in Chicago, Mafundi Lake in Alabama, Sekou Kambui and Imani Harris in Alabama, Robert Aswad Duren in California, Kojo Bomani Sababu and Dharuba Cinque in Trenton, John Partee and Tommie Lee Hodges of Alkebulan in Memphis, Gary Tyler in Los Angeles, Kareem Saif Allah and the Five Percenter-BLA-Islamic Brothers in New York, Ben Chavis and the Wilmington Ten in North Carolina, Delbert Africa and MOVE members in Philadelphia, and others doubtless too numerous to name.

Not everyone was political before incarceration. John Andaliwa Clark became so, and a freedom fighter par excellence, only after being sent behind the walls. He paid the supreme sacrifice during a hail of gunfire from Trenton State Prison guards. Hugo Dahariki Pinell also became political after being sent behind the California walls in 1964. He has been in prison ever since. Joanne Little took an ice pick from a white North Carolina guard who had used it to force her to perform oral sex on him. She killed him, escaped to New York, was captured and forced to return to the same North Carolina camp where she feared for her life. Massive public vigilance and support enabled her to complete the sentence in relative safety and obtain her release.

Dessie Woods and Cheryl Todd, hitching through Georgia, were given a ride by a white man who tried to rape them. Woods took his gun, killed him, and was sent to prison where officials drugged and brutalized her. Todd was also imprisoned and

subsequently released upon completion of the sentence. Woods was denied parole several times then finally released.

Political or not, each arrest was met with highly sensationalized prejudicial publicity that continued unabated up to and throughout the trial. The negative publicity blitz was designed to guarantee a conviction, smokescreen the real issues involved, and justify immediate placement in the harshest prison conditions possible. For men this usually means the federal penitentiary at Marion, Illinois. For women it has meant the control unit in the federal penitentiary at Anderson, West Virginia, or Lexington, Kentucky. In 1988 political prisoners Silvia Baraldini, Alejandrina Torres, and Susan Rosenberg won a D.C. District Court lawsuit brought by attorneys Adjoa Alyetoro, Jan Susler, and others. The legal victory temporarily halted the practice of sending prisoners to control units strictly because of their political status. The ruling was reversed by the D.C. Appellate Court a year later. Those political prisoners not sent to Marion, Alderman, or Lexington control units are sent to other control units modeled after Marion/ Lexington but located within maximum security state prisons. Normally this means twenty-three-hour-a-day lockdown in long-term units located in remote hinterlands far from family, friends, and attorneys, with heavy censorship and restrictions on communications, visits, and outside contacts, combined with constant harassment, provocation, and brutality by prison guards.

The influx of so many captured freedom fighters (i.e., prisoners of war –POWs) with varying degrees of guerrilla experience added a valuable dimension to the New Afrikan liberation struggle behind the walls. In the first place it accelerated the prison struggles already in process, particularly the attack on control units. One attack was spearheaded by Michael Deutsch and Jeffrey Haas of the People's Law Office, Chicago, which challenged Marion's H-Unit boxcar cells. Another was spearheaded by Assata Shakur and the Center for Constitutional Rights which challenged her out-ot-state placement in the Alderson, West Virginia, control unit.

Second, it stimulated a thoroughgoing investigation and exposure of COINTELPRO's hand in waging low intensity warfare on New Afrikan and Third World nationalities in the U.S. This was spearheaded by Geronimo ji Jaga with Stuart Hanlon's law office in the West and by Dhoruba Bin-Wahad with attorneys Liz Fink, Robert Boyle, and Jonathan Lubell in the East.[27] These COINTELPRO investigations resulted in the overturn of Bin-Wahad's conviction and his release from prison in March 1990 after he had been imprisoned nineteen years for a crime he did not commit.

Third, it broadened the scope of the prison movement to the international arena by producing the initial presentation of the U.S. political prisoner and prisoner of war (PP/POW) issue before the UN's Human Rights Commission. This approach originated with Jalil Muntaqim, and was spearheaded by him and attorney Kathryn Burke on the West Coast and by Sundiata Acoli and attorney Lennox Hinds of the National Conference of Black lawyers on the East Coast.[28] This petition sought relief from human rights violations in U.S. prisons and subsequently asserted a colonized people's right to fight against alien domination and racist regimes as codified in the Geneva Convention.

Fourth, it intensified, clarified, and broke new ground on political issues and debates of particular concern to the New Afrikan community, i.e., the "National Question," spearheaded by Atiba Shanna in the Midwest.[29]

All these struggles, plus those already in process, were carried out with the combination in one form or another of resolute prisoners, and community and legal support. Community support when present came from various sources, family, comrades, friends; political, student, religious, and prisoner rights groups; workers, professionals, and progressive newspapers and radio stations. Some of those involved over the years were or are: the National Committee for Defense of Political Prisoners, the Black Community News Service, the African Peoples Party, the Republic of New Afrika, the African Peoples Socialist Party, The East, the Bliss Chord Communication Network, Liberation Book Store. WDAS Radio Philadelphia, WBLS Radio New York, Radio New York, Third World Newsreel, *Libertad* (political journal of the Puerto Rican Movimiento de Liberacion Nacional [MLN]), the Prairie Fire Organizing Committee, the May 19th Communist Organization, the Madame Binh Graphics Collective, *The Midnight Express*, the Northwest Iowa Socialist Party, the National Black United Front, the Nation of Islam, *Arm the Spirit*, *Black News*, International Class Labor Defense, the Real Dragon Project, the John Brown Anti-Klan Committee, the National Prison Project, the House of the Lord Church, the American Friends Service Committee, attorneys Chuck Jones and Harold Ferguson of Rutgers Legal Clinic, the *Jackson Advocate* newspaper, Rutgers law students, the Committee to End the Marion Lockdown, the American Indian Movement, and others.

As the decade wound down the late '70s saw the demise of the NOI following the death of Elijah Muhammad and the rise of orthodox Islam among significant segments of New Afrikans on both sides of the wall. By 1979 the prison population stood at 300,000, a whopping 100,000 increase within a single decade.[30] The previous 100,000 increase, from 100,000 to 200,000, had taken 31 years, from 1927 to 1958. The initial increase to 100,000 had taken hundreds of years, since America's original colonial times. The '60s were the transition decade of white flight that saw a significant decrease in both prison population and white prisoners. And since the total Black prison population increased only slightly or changed insignificantly over the decade of the insurgent '60s thru 1973, it indicates that New Afrikans are imprisoned least when they fight hardest.

The decade ended on a masterstroke by the BLA's Multinational Task Force, with the November 2, 1979, prison liberation of Assata Shakur —"Soul of the BLA" and preeminent political prisoner of the era. The Task Force then whisked her away to the safety of political asylum in Cuba where she remains to date.

In June 1980 Ali Hassan was released after sixteen years in the New Jersey state prisons. Two months later, five New World of Islam (NWI) members were arrested after a North Brunswick, New Jersey, bank robbery in a car with stolen plates. The car belonged to the recently released Ali Hassan who had loaned it to a friend. Ali Hassan and fifteen other NWI members refused to participate in the resulting mass trial which charged them in a Racketeering Influenced Corrupt Organization (RICO) Indictment with conspiracy to rob banks for the purpose of financing

various NWI enterprises in the furtherance of creating an independent Black Nation. All defendants were convicted and sent behind the walls.

The '80s brought another round of BLA freedom fighters behind walls — Basheer Hameed and Abdul Majid in '80; Sekou Odinga, Kuwasi Balagoon, Chui Ferguson-El, Jamal Josephs again, Mutulu Shakur, and numerous BLA Multinational Task Force supporters In '81; and Terry Khalid Long, Leroy Ojore Bunting, and others in '82. The government's sweep left Mtyari Sundiata dead, Kuwasi Balagoon subsequently dead in prison from AIDS, and Sekou Odinga brutally tortured upon capture, torture that included pulling out his toenails and rupturing his pancreas during long sadistic beatings that left him hospitalized for six months.

But this second round of captured BLA freedom fighters brought forth, perhaps for the first time, a battery of young, politically astute New Afrikan lawyers — Chokwe Lumumba, Jill Soffiyah Elijah, Nkechi Taifa, Adjoa Aiyetoro, Ashanti Chimurenga, Michael Tarif Warren, and others. They are not only skilled in representing New Afrikan POWs but the New Afrikan Independence Movement too, all of which added to the further development of the New Afrikan liberation struggle behind the walls.

The decade also brought behind the walls Mumia Abu-Jamal, the widely respected Philadephia radio announcer, popularly known as the "Voice of the Voiceless." He maintained a steady drumbeat of radio support for MOVE prisoners. He finished work the night of December 9, 1981, stepped outside the station, and discovered a policeman beating his younger brother. Mumia was shot and seriously wounded, the policeman was killed. Mumia now sits on death row in greatest need of mass support from every sector, if he's to be saved from the state's execution.[32]

Kazi Toure of the United Freedom Front (UFF) was sent behind the walls in 1982. He was released in 1991. The New York Eight — Coltrane Chimurenga, Viola Plummer and her son Robert "R.T." Taylor, Roger Wareham, Omowale Clay, Lateefah Carter, Colette Pean, and Yvette Kelly — were arrested on October 17, 1984, and charged with conspiring to commit prison breakouts and armed robberies, and with the possession of weapons and explosives. However the New York Eight were actually the New York Eight plus because another eight or nine persons were jailed as grand Jury resisters in connection with the case. The New York Eight were acquitted on August 5, 1985.

That same year Ramona Africa joined other MOVE comrades already behind the walls. Her only crime was that she survived Philadelphia Mayor Goode's May 13, 1985, bombing which cremated eleven MOVE members, including their babies, families, home, and neighborhood.

The following year, November 19, 1986, a twenty-year-old Bronx, New York, youth, Larry Davis, now Adam Abdul Hakeem, would make a dramatic escape during a shootout with police who had come to assassinate him for absconding with their drug-sales money. Several policemen were wounded in the shoot-out. Adam escaped unscathed but surrendered weeks later in the presence of the media, his family, and a mass of neighborhood supporters. After numerous charges, trials, and acquittals in which he exposed the existence of a New-York-police-controlled

drug ring that coerced Black and Puerto Rican youths to push police-supplied drugs, he was sent behind the walls on weapon possession convictions. Since incarceration, numerous beatings by guards have paralyzed him from the waist down and confined him to a wheelchair.

On July 16, 1987, Abdul Haqq Muhammad, Arthur Majeed Barnes, and Robert "RT.." Taylor, all members of the Black Men's Movement Against Crack, were pulled over by state troopers in upstate New York, arrested, and subsequently sent to prison on a variety of weapon possession convictions.

Herman Ferguson at 68 years old voluntarily returned to the U.S. on April 6, 1989, after twenty-year's exile in Ghana, Afrika, and Guyana, South America. He had fled the U.S. during the late '60s after the appeal was denied on his sentence of 3 1/2 to 7 years following a conviction for conspiring to murder civil rights leaders. Upon return he was arrested at the airport and was moved constantly from prison to prison for several years as a form of harassment.

The '80s brought the Reagan era's rollback of progressive trends on a wide front and a steep rise in racist incidents, white vigilantism, and police murder of New Afrikan and Third World people. It also brought the rebirth and reestablishment of the NOI; a number of New Afrikan POWs adopting orthodox Islam in lieu of revolutionary nationalism; the New Afrikan People's Organization's (NAPO) and its chairman Chokwe Lumumba's emergence. From the RNA, as banner carrier for the New Afrikan Independence Movement (NAIM), to the New Orleans assassination of Lumumba Shakur of the Panther Twenty-One, and an upsurge in mass political demonstrations known as the "Days of Outrage" spearheaded by the December 12th Movement, and others in New York City.

The end of the decade brought the death of Huey P. Newton, founder of the Black Panther Party, allegedly killed by a young Black Guerrilla Family adherent on August 22, 1989, during a dispute over "crack." Huey taught the Black masses socialism and popularized it through the slogan "Power to the People!" He armed the Black struggle and popularized it through the slogan "Political power grows out of the barrel of a gun." For that, and despite his human shortcomings, he was a true giant of the Black struggle, because his particular contribution is comparable to that of other modern-day giants, Marcus Garvey, Elijah Muhammad, Malcolm X, and Martin Luther King.

AIDS, crack, street crime, gang violence, homelessness, and arrest rates have all exploded throughout the Black colonies. The prison population on June 30, 1989, topped 673,000, an incredible 372,000 increase in less than a decade, causing the tripling and doubling of prison populations in 34 states, and sizable increases in most others. New York City prisons became so overcrowded they began using ships as jails. William Bennett, former U.S. Secretary of Education and so-called Drug Czar, announced plans to convert closed military bases into concentration camps.

The Prison Building Spree and Escalated Imprisonment rates continue unabated. The new prisoners are younger, more volatile, have long prison sentences, and are overwhelmingly of New Afrikan and Third World nationalities. It is estimated that by the year 1994 the U.S. will have over one million prisoners.[33]

Projections suggest that over 75 percent of them will be Black and other people of color. [34] More are women than previously. Their percentage rose to five percent in 1980 from a low of three percent in 1970.[35] Whites are arrested at about the same rate as in Western Europe while the New Afrikan arrest rate has surpassed that of Blacks in apartheid-ruled South Africa. In fact, the U.S. Black imprisonment rate is now the highest in the world.[36] Ten times as many Blacks as whites are incarcerated per 100,000 population.[37]

As we begin to move through the '90s the New Afrikan liberation struggle behind the walls finds itself coalescing around campaigns to free political prisoners and prisoners of war, helping to build a national PP/POW organization, strengthening its links on the domestic front, and building solidarity in the international arena. Although the established media concentrates on the sensationalism of ghetto crack epidemics, street crime, drive-by shootings, and gang violence, there has been a long quiet period of consciousness raising in the New Afrikan colonies by the committed independence forces. This heightened consciousness of the colonies is just beginning to manifest itself through seemingly random sparks and the rise of innovative cultural trends, i.e., Rap/Hip Hop,"message" music, culturally designed hair styles, dissemination of political/cultural video cassettes, resprouting of insurgent periodicals, and the resurrection of forgotten heroes; all of which presage an oppressed people getting ready to push forward again.

The New Afrikan liberation struggle behind the walls now follows the laws of its own development, paid for in its own blood, intrinsically linked to the struggle of its own people, and rooted deep in the ebb and flow of its own history. To know that history is already to know its future development and direction.

Sundiata Acoli is held at USP Allenwood in White Deer, Pennsylvania. A New Afrikan political prisoner of war, Sundiata was active in the sixties Black liberation struggles. In Mississippi, he worked on voter registration, and in the Harlem chapter of the Black Panther Party he did community service work. He was involved in the Panther 21 case. Later he joined the Black Liberation Army, an outgrowth of the Black Panther Party that continued the Black liberation struggle underground. In 1973 along with Zayd and Assata Shakur, he was ambushed by New Jersey State troopers. Sundiata managed to elude authorities before his capture a few days later. His 1994 parole board hit him with 20 years before reapplication. Beside being a visual artist, Sundiata has published many writings.

Notes

1. D'shsiom Starr Nation, "The Failure of Prisons," *Prison News Service*, Nov./Dec., 1991, PSC Publishers, P. O. Box 5052, Stn. A, Toronto, Canada, M5W 1W4, p.1.

2. Nancy Kurshan and Steve Whitman, *Unpublished Manuscript*, p. 1.

3. James Austin and Aaron M. Davis , *The NCCD Prison Population Forecast: the Growing Imprisonment of America*, April 1988, National Council on Crime and Delinquency, 77 Maiden Lane, 4th Fl. San Francisco, California 94108, p. 1.

4. Clinton Cox, "Racism: The Hole in America's Heart," *The City Sun*, July 18-25, 1990, 44 Court St., Suite 307, Brooklyn, New York 11201, p. 3.

5. Austin and Davis

6. See Clinton Cox, "Racism," p. 3.

7. *Ibid.*

8. Margret Calahan, *Historical Corrections Statistics in the U. S. 1850 - 1984.* 1986. Department of Justice, Bureau of Justice Statistics, Washington, D. C., p.65.

9. Amilcar Shabazz, "Book Review: In Struggle: SNCC and the Black Awakening of the 1960s" in *By Any Means Necessary!*, Vol. 5, No. 2, 1989, NAPO, Box 31762, Jackson, Mississippi, 39286, p. 9.

10. From author's conversation with El-Sun Allah of the Five-Percenters.

11. From author's conversation with and papers provided by Ali Hassan, leader of the New World Nation of Islam.

12. Chokwe Lumumba, "20th Anniversary Commemoration of the Historic New Bethel Incident," *By Any Means Necessary!* Vol. 5, No. 2, 1989, NAPO, Box 31762, Jackson, Mississippi, p. 11.

13. Phil Serafino, "Fight for Economic Rights: Memphis Sanitation Workers Urged on Anniversary of King Assassination," *Daily Challenge*, April 7, 1989, 1360 Fulton St., Brooklyn, New York 11216.

14. Anonymous, "Fallen Comrade," *The Black Panther*, Spring 1991, The Black Panther Newspaper Committee, P. O. Box 519, Berkeley California 94701-0519, pp. 6-7.

15. Lowell Bergman and David Weir, "Revolution on Ice," *Rolling Stone*, September 6, 1975, pp. 41-49.

16. Dan Georgakas and Marvin Surkin, *Detroit: I Do Mind Dying*, New York: St. Martin's Press, 1975, pp. 66-68.

17. See Lumumba, "New Bethel Incident," p. 16.

18. *Sourcebook of Criminal Justice Statistics - 1986,* U. S. Department of Justice, Washington, D. C.: U. S. Government Printing Office, 1987, p. 400.

19. M. Calahan, *op. cit.*

20. Author's conclusions based on results of his calculations using data from both Calahan's *Correction Statistics* and *Sourcebook of Criminal Justice Statistics - 1986.*

21. Ward Churchill and Jim Vander Wall, *Agents of Repression*, Boston, Massachusetts: South End Press 1988.

22. George Jackson, *Blood in My Eye*, New York: Bantam Books, Inc. 1972.

23. Sundiata Acoli, *Freedom Campaign*, P.O. Box 5538, Harlem, N.Y. 10027

24. Assata Shakur, *Assata: An Autobiography*, Westport, CT Lawrence Hill & Co., 1987.

25. Imari Obadele, *Free the Land!* 1984, published by The Malcolm X Society, c/o House of Songhay Commission for Positive Education, P. O. Box 62622, Washington, D. C. 20029-2622.

26. On May 17, 1991, Don Taylor died of cancer at the Stateville, Illinois prison.

27. Dhoruba Bin-Wahad *People of the State of N. Y. vs. Dhoruba Bin-Wahad*, Index #3885-71, New York, April, 1988, Motion to Vacate Conviction Pursuant to CPL 440.10. See Appendix containing 243 pages of COINTELPRO files pertaining to Dhoruba alone.

28. S. Acoli, *Sunviews*.

29. Atiba Shanna, *Notes from an Afrikan P. O. W. Journal: Books 1-7*, 1968, Spear and Shield Publications, 1340 W. Irving Park, Suite 108, Chicago, Illinois 60613.

30. *Sourcebook of Criminal Justice Statistics - 1986*, note 17.

31. A. Shakur, *op. cit.*

32. Marpessa D. Kupindua, *Mumia Jamal: Popular Reporter Fighting for Life, The Last Trumpet,* Vo. 1, No. 1 1989, Frontline Network, Box 9890, Wilmington, Delaware 19809, p. 10.

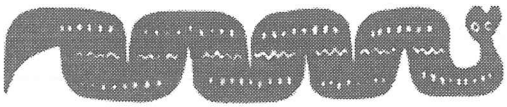
33. James Austin and Aaron M. Davis, *The Impact of the War on Drugs*, San Francisco: National Council on Crime and Deliquency, 1989.

34. Steve Whitman, "Prisons and White Supremacy," unpublished manuscript, 1991.

35. *Corrections Statistics, op. cit*

36. Steve Whitman, "The Crime of Black Imprisonment," *Chicago Tribune*, May 28, 1967, Chicago, IL.

37. Unitarian Universalist Service Committee, *Crime and the News Media,* 1988.



THE BLACK PANTHER PARTY AND COINTELPRO

Cecelia Sutton

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The Black Panther Party (BPP) arose out of the ashes of oppression like a phoenix during the turbulent Civil Rights era. The BPP emerged at a time when Black people in the United States of America were fighting against their racist oppressors. Passivity, as preached by Dr. Martin Luther King Jr., was not working and many Black Americans were ready to stage a revolutionary war to gain the human and civil rights denied them for hundreds of years.

Huey Percy Newton and Bobby Seale formed the BPP in 1966. "It was an organization of Black and poor persons embracing a common ideology identified by its proponents as 'revolutionary intercommunalism'" according to the *War Against the Panthers: A Study of Repression in America,* by Huey Percy Newton.

The goal of the BPP was to link Black and other oppressed people who had been historically denied equal opportunities in employment, education, housing, and their civil rights. The BPP based its goal on a ten point program established by the party members:

1) Freedom; the power to determine the destiny of the Black and oppressed communities.

2) Full Employment; give every person employment or guaranteed income.

3) End to robbery of Black communities; the overdue debt of forty acres and two mules as promised to ex-slaves during the reconstruction period following the emancipation from slavery.

4) Decent housing fit for the shelter of human beings; the land should be made into cooperatives so that the people can build.

5) Education for the people; that teaches the true history of Blacks and their role in present day society.

6) Free health care; health facilities which will develop preventive medical programs.

7) End to police brutality and murder of Black people and other people of color and oppressed people.

8) End to all wars of aggression; the various conflicts which exist stem directly from the United States ruling circle.

9) Freedom for all political prisoners; trials by juries that represent our peers.

10) Land, bread, housing, education, clothing, justice, peace and community control of modern industry.

These ten points gave the members the cohesive base on which a strong Black community could be built. Of course, this ideology was never realized because of the destruction of the BPP and its members by the FBI. COINTELPRO systematically destroyed the power structure of the BPP; for example, fabricated letters were sent to different factions, causing dissension. This effort was designed to divide key leaders such as Eldridge Cleaver and Huey Newton. For instance, when Cleaver went into exile in Algeria leaving Newton to run the party on his own, the FBI used the opportunity to "disrupt the BPP by promoting internal dissension."

The FBI also used "Black Propaganda" operations. This refers to fabricating and distributing publications targeted at party members and was used to discredit them publicly among their peers. Such propaganda presented cartoon caricatures depicting BPP members acting negatively toward each other. The FBI's goal was to get different factions to fight amongst themselves.

This ploy worked well for the FBI. Because of its "Black Propaganda," the FBI can take credit for the murders of Los Angeles Panther leaders John Huggins and Alprentice "Bunchy" Carter killed by unidentified gunmen in UCLA's Campbell Hall on January 17, 1969. Police infiltrators were at least partly responsible for the murders.

Another tactic used to discredit the BPP and other Black revolutionary organizations was using infiltrators and provocateurs to engage in illegal activities which would cause Party members to be arrested for felonious crimes. These agent provocateurs were also assigned the task of spreading disinformation.

The fabrication of information was yet another tactic used by the FBI. This included the intimidation of witnesses and coercion. For example, the Bureau concocted a threatening letter to jurors, during the "Chicago Eight" conspiracy trial in efforts to obtain convictions.

The murkiest of all maneuvers has been the implication of assassinations by the FBI of selected political leaders and Black revolutionaries. Of course, Congressional investigators have shied away from delving too deeply to uncover evidence on this tactic.

David Hilliard, a key party leader in the Oakland California chapter of the BPP, has said that the BPP rose to the top of the political most wanted list. He has also said that "The BPP were regularly demonized by then governor, Ronald Reagan. This caused a stigma to be placed upon the BPP as Pied Pipers of cultural and social revolution characterizing us as the essence of violence, chaos, and evil."

J. Edgar Hoover took this mode of thought a step further, referring to the BPP was "the greatest threat to the internal security of the country." Hoover believed the leaders and representatives of the BPP were trying to warp the minds of young college students across the country by preaching to them to overthrow the government and to take part in revolution. Hoover instructed local field offices in

cities across America to "submit imaginative and hard-hitting counterintelligence measures aimed at crippling the BPP."

Actions taken by COINTELPRO operatives resulted in the imprisonment of several key Party members. The objectives of COINTELPRO were advanced by indictments of party members whose imprisonment left the Party leaderless and unable to operate effectively in the Black community.

Today, because of COINTELPRO, Elmer Gerard (Geronimo) ji Jaga is a political prisoner, serving a life sentence in the California penal system for the murder of Caroline Olsen. The FBI wanted ji Jaga "neutralized," a goal they accomplished through COINTELPRO techniques. The Los Angeles FBI office designated ji Jaga a "Key Black Extremist," gave his file "Priority I" status, and placed it in the National Security Index, though there was never any evidence given to validate the acute threat to national security associated with a top SI rating.

After the deaths of Carter and Huggins, ji Jaga became the leader of the L.A. chapter. Carter had left an audio tape stating that ji Jaga was to lead the BPP in L.A. in the event of his death. Ji Jaga was chosen by Carter because he had extensive military training in light weapons and irregular warfare tactics. Carter believed that ji Jaga could successfully train party members to defend themselves in the event of urban warfare.

Ji Jaga's so called threat to the national security of the United States caused the FBI to stage an all out war against him. The neutralization process encompassed every trick in their book. When the FBI ordered a raid against the L.A. headquarters, they were assisted by Melvin "Cotton" Smith, an infiltrator who had risen to number three man in the LA-BPP. Smith provided the FBI with detailed floor plans of the headquarters. During a similar raid, conducted a few days earlier in Chicago, Fred Hampton, the leader of the BPP in Illinois, was murdered. Although there was no known evidence linking the two raids, it is noted that Fred Hampton was in L.A. two days before he was killed.

The raid on the L.A. office was successfully defended by ji Jaga and members of the BPP. Only six were wounded and thirteen were arrested. A jury later found all Panthers who had participated in the shoot-out innocent of any major crimes.

Fred Hampton had been a promising leader of the BPP. A high school leader and NAACP activist, he was a highly respected speaker for the BPP in a Chicago Illinois suburb. In 1967, when Hampton was only nineteen years old, the Bureau opened a file on him that expanded to twelve volumes over the next two years.

In exchange for a monthly stipend and the dropping of federal charges against him, an informant, William O'Neal, agreed to infiltrate the Chicago BPP as a counterintelligence operative. He would later become Chief of Security in the BPP and Hampton's personal bodyguard. O'Neal provided a detailed floor plan of Fred Hampton's apartment where the police assassinated him. A wire tap was placed on Hampton's mother's phone in February of 1968. By May of that same year, the young Panther's name would be placed on the "Agitator Index" and he would be designated a "key militant leader for Bureau reporting purposes."

The similarities between the L.A. and Chicago raids were undeniable. The goal was to exterminate key leaders as quickly and as secretly as possible. Thus, both

raids were conducted in the early hours of the morning; floor plans were given to the police detailing the positions of the Panthers; and both Party offices were infiltrated by informants.

The Black Panther Party was attempting to create a system whereby the oppressed people of America, namely African Americans and other people of color, could control their own destiny. The BPP not only had a concrete platform, they also had put that platform in place, while doing positive things for the community. Survival programs such as the Free Food Program, Free Medical Research Health Clinics and the Intercommunal Youth Band gave the community participants a sense of pride in themselves, while showing them how to sustain themselves. In his book of essays *To Die For The People*, Huey Newton eloquently stated that "All these programs satisfy the deep needs of the community."

The far reaching effect of COINTELPRO is that the revolutionary forces that once existed have gone underground or disappeared. Today, in 1996, the conditions that gave birth to the BPP in the '60s, have worsened; and the present political climate in this country will give rise to another revolutionary force that will demand the same rights that the BPP demanded almost thirty years ago. Although the system underhandedly demonized the leaders of the BPP and its platform, today the true story is unfolding.

Bibliography

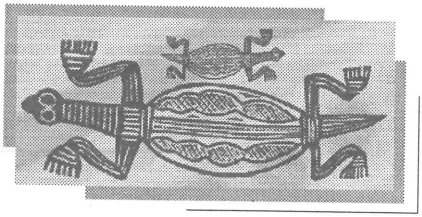
Churchill, Ward and Vander Wall, Jim, *Agents of Repression: The FBI's Secret Wars Against the Black Panther Party and the American Indian Movement*, Boston, MA.: South End Press, 1988.

Hilliard, David and Lewis Cole, *This Side of Glory: The Autobiography of David Hilliard and the Story of the Black Panther Party*, Canada: Little, Brown & Company, 1993.

McCall, Nathain, Makes Me Want to Holler: A Young Black Man in America. New York, New York: Random House, 1994.

Newton, Huey Percy, *War Against the Panthers: A Study of Repression in America,* Ph.D diss. U.C. Santa Cruz, 1980.

The Survival Programs of The Black Panther Party, Sausalito California: The Co-Evolution Quarterly.



ANATOMY OF A COVER-UP

Austin Long-Scott

Associate Professor of Journalism at San Francisco State University, Austin Long-Scott *covered social justice and social change issues for twenty-nine years for mainstream news organizations. He was on the reporting staffs of the* Washington Post *and the* Los Angeles Times, *and back in 1961 became the first African American journalist hired full-time by the Associated Press.*

The vicious beating Los Angeles police gave Rodney King became a national wake-up call because of the stunning video that exploded all over TV news programs in 1991. The video said to those who didn't live daily with police abuse, "Listen up, all you people who trust the cops!" Now you can see for yourselves what mostly poor, mostly African American victims have been trying to tell you for years. "Big chunks of law enforcement really are out of control!"

Maybe the rigged trial of Geronimo ji Jaga hasn't taught the nation a similarly powerful lesson about its courts because there is no video to make the injustice startingly obvious. Certainly the beating justice has taken in his case is just as dramatic. Ji Jaga, a Black Panther who was tried twenty-four years ago under what he now calls his slave name, Elmer "Geronimo" Pratt, is serving two life sentences for a murder he has always insisted he didn't commit. He says the evidence proving his innocence is contained in the same top-secret FBI files that caused a special U.S. Senate investigatory committee to condemn the dirty tricks that law enforcement officials used consistently a generation ago to help break up the Black Panther Party and any other civil rights and civilian protest group they didn't like. For twenty-four years the courts have denied ji Jaga justice and insisted that's OK. Mainstream U.S. newspapers have written in editorials that his 1972 murder conviction came from an unfair trial. A U.S. District Court Judge once said ji Jaga's legal efforts to obtain justice were met with "a scenario of deception, deceit and cover-up" from law enforcement. And some of the most respected political and religious leaders in this country say ji Jaga should be freed, or at least given a new trial.

When I first heard of Geronimo ji Jaga in 1978, he already had been in prison eight years, railroaded there in a most unfair trial in which the FBI concealed from the court that it had two spies in his defense team. At his trial, The FBI lied about whether or not it had crucial pro-

defense evidence, and its own top-secret records called the key prosecution witness a liar. The Los Angeles police also withheld crucial evidence from ji Jaga's attorney, and may have never followed up the leads they had to the real killers.

The defense attorney who lost ji Jaga's case, a rising young African-American lawyer named Johnnie L. Cochran Jr., would go on to become a household word as he took on more famous clients. But even as Cochran poured his all into defending wealthy O.J. Simpson, he said the case of penniless Geronimo ji Jaga still haunts him. In 1972, ji Jaga was sentenced to two life terms in prison. By 1984, when I first looked into his case, I visited him in San Quentin Prison and wrote two dozen stories about his plight for the *Los Angeles Times*, he had been in prison fourteeen years. Today it's twenty-four years and a dozen unsuccessful appeals and thirteen parole denials since ji Jaga was sentenced. And he's still there, despite a who's who of celebrities, politicians and civic leaders who have spoken out in favor of either freeing him outright, or granting him a new trial. The impressive support for him goes back years, and includes, in addition to Cochran:

—The Congressional Black Caucus, which years ago declared his trial unfair and said the case ought to be re-opened.

—Rep. Ronald V. Dellums, D-Calif., who has said, "His story shows how far government agencies have been willing to go to stop movements for social change, particularly the Black struggle."

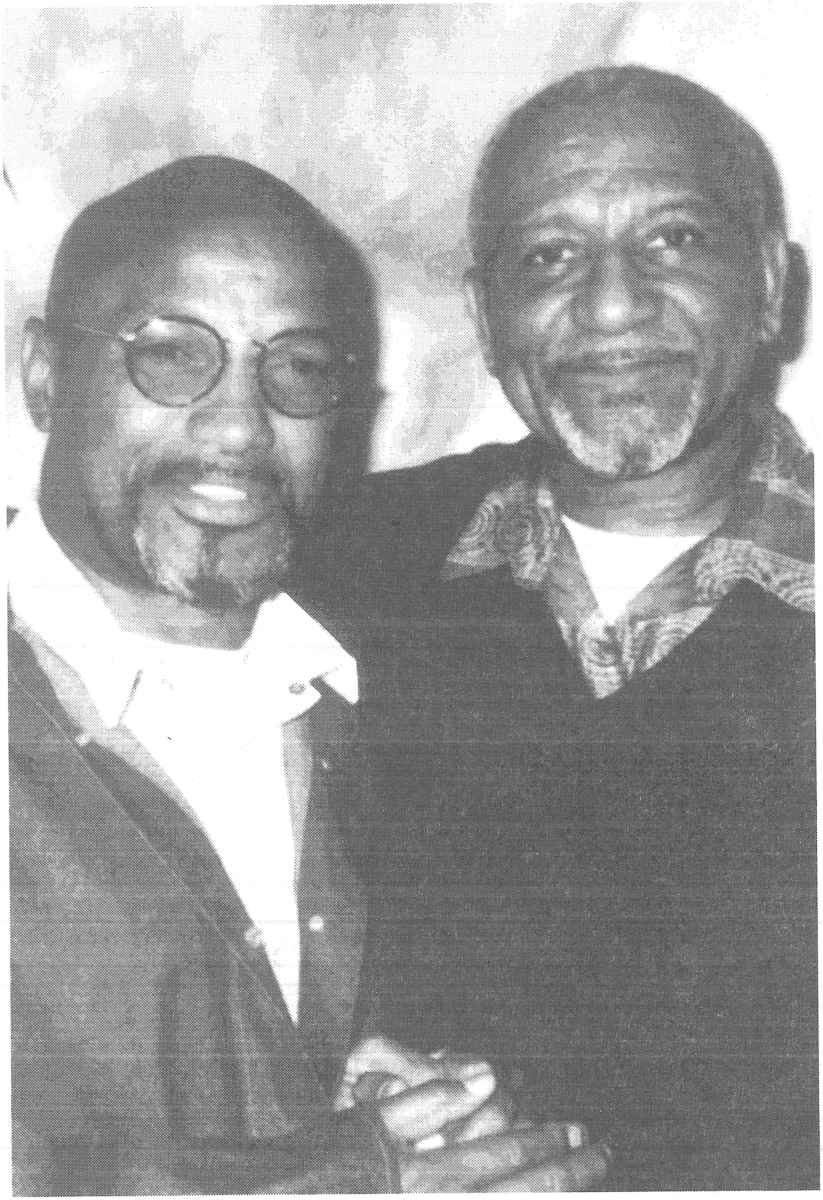
—The African American delegation in California's State Assembly, including specific support from California's most powerful African American politician, Willie Brown (now Mayor of San Francisco).

—White liberal members of Congress, who helped force three internal FBI investigations into ji Jaga's case, and helped get thousands of pages of FBI files on him released under the federal Freedom of Information Act. Those files clearly show the FBI was out to get ji Jaga, and may have framed him. Lawyers have argued that those files alone would be enough evidence to have won a new trial for anyone else.

—A former FBI agent who said he knows from personal observation and from FBI records that wiretap logs, which could prove ji Jaga was 400 miles away when the murder took place, are missing. The retired agent said it's the only case of missing wiretap logs he knows of in his twenty-five year history with the FBI.

—Amnesty International, the worldwide, London-based human rights organization, says the United States may have violated the Helsinki human rights treaty by failing to protect ji Jaga's right to a fair trial. Amnesty asked in 1981 for an independent federal investigation since California state courts were unwilling to demand full disclosure by the FBI of its role in fabricating evidence and using other unjust means to jail ji Jaga and other leaders of U. S. groups supporting people of color.

Although the important facts in ji Jaga's case take a while to recite, they are simple to understand and powerful in their implications. They raise the question of what the court system might still be trying to keep hidden years after the case revealed serious abuses of justice on the part of the FBI, the California Department of Justice, and the Los Angeles Police Department.



Ji Jaga, now 47, has spent more than half of his once promising life in jail for a crime he has always sworn he didn't commit. In all of his growing up, nothing except his army service gave any hint that he might try to solve problems by killing. He was born in Morgan City, Louisiana, quarterbacked the Sumpter Williams High School football team, and enlisted in the Army in 1965 at age seventeen. He came out of Vietnam after two tours with the 82nd Airborne as a decorated veteran with silver and bronze stars and two purple hearts. In 1968, his sister, who was enrolling at UCLA, asked him to drive her to California. When ji Jaga got her there, he decided to stay. He enrolled at UCLA, too, in the school's high-performance program. He also joined the Los Angeles chapter of the Black Panther Party, and quickly won the trust of two of the local chapter leaders, Bunchy Carter and John Huggins.

The incident that would be used to change his life forever happened on the evening of December 18, 1968. A young white woman named Caroline Olsen and her estranged husband, Kenneth, met around twilight on a Santa Monica tennis court. They put a coin in the light box, and when the lights came on two African American men emerged from the shadows. The two men made the couple lie face down on the tennis court, robbed them of $30, and then shot both of them from behind. She died, he recovered. The mass media, made hypersensitive to racial violence by a national eruption of civil unrest in the wake of Martin Luther King's assassination earlier that year, dubbed the case the "tennis court murder."

At first there was nothing to link the case to ji Jaga. The description the husband gave of the assailants did not fit ji Jaga, and at a lineup the husband identified men who did not resemble ji Jaga. What nobody knew at the time was that all through 1969 and much of 1970, as ji Jaga was getting increasingly involved with the Black Panther Party, the FBI was working behind the scenes with state and local law enforcement agencies on a secret program of dirty tricks to target and discredit Panther leaders. The top secret program, which the FBI called COINTELPRO, for COunter INTELligence PROgram, had ji Jaga as one of its targets. But COINTELPRO would not be exposed and condemned by a special U.S. Senate investigating committee until 1976.

Two things that happened with the Panthers in 1969 helped seal ji Jaga's fate. First, in January both Bunchy Carter and John Huggins died in a shootout with members of the Black nationalist group "US" on the UCLA campus. Ji Jaga, who was deputy minister of defense in Southern California, became the highest ranking Panther in the region, the representative to the Panthers' national Central Committee and therefore a prime COINTELPRO target. Second, in August ji Jaga expelled from the Panthers a man who would become the star witness against him at his trial. The man was a hairdresser and former sheriff's deputy named Julius "Julio" Butler. Ji Jaga said he expelled him because he believed Butler was a law enforcement informant. It would be revealed later that five days after ji Jaga expelled him from the party, Butler wrote and sealed a private letter claiming that ji Jaga came to him

Photo Facing Page: Geronimo ji Jaga and Herman Fergusson

the day after the tennis court murder and confessed shooting the Olsen's. The letter also said ji Jaga implicated another Panther who Butler knew only as "Tyrone." Butler gave the sealed private letter to his friend Duwayne Rice, a sergeant with the Los Angeles Police Department, and instructed Rice to open it only upon Butler's death. Almost a year later, in late 1970, police learned of the sealed letter and insisted on opening it even though Butler was still alive, thereby getting their first connection between ji Jaga and the two-year-old, unsolved murder of Caroline Olsen. A grand jury indicted ji Jaga on murder charges in December and he entered the prison system, never to emerge.

Things went somewhat better for the other man mentioned in Butler's letter. Police also arrested Los Angeles Black Panther Tyrone Hutchinson, but Hutchinson said in an interview years later that things changed when he told police he knew who did shoot the Olsens, and it wasn't ji Jaga. He said he told police that two friends of Julio Butler, Herbert Swilley and Larry "Dopey" Hatter, were the killers. They had described a man and woman shaking and crying just before they were shot, Hutchinson said. He said police warned him not to discuss the information with anyone else, and then he was released and never charged with the murder. Both of the men Hutchinson named died before he told his story. It would not be revealed for years that the Los Angeles police apparently never followed up on Hutchinson's information, or on other leads that pointed to people other than ji Jaga as one of the killers.

Ji Jaga's trial began in June 1972, at a time when the COINTELPRO dirty tricks the FBI had used at least since 1969 try to discredit Panther leaders by any means were still a closely held secret, known only to top law enforcement. Although many Panthers did suspect that law enforcement agents had infiltrated their organization and were acting as provocateurs, they couldn't be sure. Even worse for ji Jaga, Panther leader Huey P. Newton had been feuding with an increasingly popular Panther rival named Eldridge Cleaver. When ji Jaga sided with Cleaver over the direction of the Party, Newton expelled ji Jaga from the Panthers in January 1971.

At his trial, ji Jaga told the jury what he has consistently said ever since he was arrested: that on the night of the tennis court murder, he was 400 miles away from Santa Monica attending a major conference of Black Panther Party leaders in Oakland. He said the FBI knew that through its wiretaps, and can prove it at any time by disclosing the FBI wiretap surveillance logs on both the Oakland and Los Angeles Panther party offices. Such wiretaps were routine after then-FBI Director J. Edgar Hoover declared the Panthers to be the greatest menace to the internal security of the United States.

One of the prosecution's star witnesses at the trial was Julio Butler. He testified that on the day of the murder, Dec. 18, 1968, ji Jaga and a man he knew only as Tyrone stopped by the hair salon where he worked to say they were going on a "mission." The next day, Butler said, ji Jaga showed him the *Los Angeles Times*' account of the shootings and confirmed that he pulled the trigger. Butler said ji Jaga owned a car similar to the getaway car, a 1967 Pontiac GTO convertible with a white top over a red body. Ji Jaga said the car was used by many Panthers, not just

him. Kenneth Olsen, in a dramatic courtroom appearance, identified ji Jaga as his assailant. Neither the defense nor the jury was told that earlier, when his memory was fresher, Olsen had identified someone who looked quite different.

Lawyer Johnnie Cochran asked Butler if he was or had been a law enforcement informant. Butler swore under oath that he wasn't, and hadn't been. The FBI did not tell Cochran or the jury that in their secret files were pages of dates, times, and locations when Butler had met their agents on street corners to give information specifically about the Panthers and ji Jaga. Nor did the FBI reveal that one of their informants may have had access to discussions of ji Jaga's legal strategy.

Prosecutor Richard Kalustian told the jury in his closing arguments that the case boiled down to Butler's credibility. If the jury believes Butler, it's over, he said. The jury found ji Jaga guilty of first-degree murder after ten days of deliberations. By one account, as soon as the first verdict was read, ji Jaga exploded, "Guilty! You're wrong. I didn't kill that woman, you racist dogs."

The first indication that something was seriously wrong began to emerge two days after the verdict. A public defender read a newspaper article which said that Kenneth Olsen had positively identified only one suspect — ji Jaga — in a lineup. "That was totally untrue," the lawyer said in a 1995 article in *GQ Magazine*. "Olsen took the stand and lied." The attorney knew because the man Olsen had initially identified as the killer was the lawyer's client. Olsen's identification of that first man was wrong, because the man he picked out was in jail at the time of the murder. But the lineup card Olsen had made out identifying the public defender's client as the killer had mysteriously disappeared. "In all my years as a lawyer, I've never seen that happen before or since," the public defender told a reporter this year.

It took six years of pressure on the FBI before the trickle of known problems with ji Jaga's trial would become a flood. The pressure came from several sources, including a series of Freedom of Information Act requests filed by ji Jaga's attorneys, as well as from congressional inquiries into a whole range of FBI misconduct against a variety of protest groups. The FOIA requests, filed by ji Jaga's current attorney, Stuart Hanlon of San Francisco, began producing astonishing FBI admissions starting around 1978.

Among the most important was the FBI's slow backing away over a period of years from its claim that its earliest surveillance records mentioning ji Jaga were dated two weeks after the tennis court murder. Slowly, month after month, new surveillance documents were released that tracked ji Jaga closer and closer to December 18, 1968. As of this writing, the FBI has released a log placing ji Jaga in Oakland just two days after the murder. It still insists it has no wiretap log for the day of the murder, even though two investigators say in sworn affidavits that they came across one while researching another case, and that it does place ji Jaga in Oakland on December 18.

Not until years after ji Jaga was convicted of murder and sentenced to two life terms, would the general extent of the FBI's dirty tricks become known. The young white attorneys who took over ji Jaga's case from Johnnie Cochran filed Freedom of Information Act requests to obtain thousands of pages of formerly secret FBI

documents. One of them revealed that by June of 1969, the FBI was identifying ji Jaga by the name he was using then as one of the COINTELPRO targets it wanted to discredit. A memo from the Los Angeles FBI office said, "Constant consideration is given to the possibility of the utilization of counter-intelligence measures with efforts being directed toward neutralizing Pratt as an effective BPP functionary." From at least early 1969 on, ji Jaga was under surveillance by the FBI, by the counterintelligence squad of the Los Angeles Police Department, and by agents of the California Department of Justice.

Other documents showed that on Jan. 28, 1970, the FBI Los Angeles office asked FBI headquarters in Washington to approve the "creation of an anonymous 'paper' underground to attack, expose and ridicule the image of the BPP (Black Panther Party) and to foment mistrust and suspicion amongst the current and past membership . . . Operation No. 1 is designed to challenge the legitimacy of the authority exercised by Elmer Gerard Pratt," as ji Jaga was known then, one document said. Still more documents showed that two FBI informants were somewhere in the small circle of close ji Jaga associates and attorneys who discussed his legal defense strategies.

The special U.S. Senate committee that investigated COINTELPRO and condemned it in 1976 found that FBI COINTELPRO tactics included writing phony letters and other material to foster a violent split among Panther leaders, unlawfully using informants to eavesdrop on discussions between defendants and their attorneys, trying to estrange defendants from potentially supportive witnesses, and targeting such celebrity supporters of the Panthers as actress Jean Seberg, whose suicide has been blamed on FBI rumors that she became pregnant by a black man. These dirty tricks, including printing phony pamphlets and spreading lies, were used to discredit individuals and disrupt groups that FBI Director J. Edgar Hoover decided were enemies of the country. The FBI has still not made public the full range of COINTELPRO activity. It is not clear, for example, why the denunciation of ji Jaga printed in the Panther newspaper after he was expelled is similar in wording to one of the phony statements proposed by the FBI under COINTELPRO. Nor is much known about why ji Jaga's name showed up on CIA documents released in 1979. The documents were related to CHAOS, then a CIA program of secret spying on U.S. citizens.

The many other disclosures forced out of the FBI and other law enforcement agencies by sustained pressure are full of contradictions to the trial testimony that convicted ji Jaga. They are stunning examples of an out-of-control legal system, and should have won his release from prison long ago. They include:

Late 1978: ji Jaga's attorneys won a federal court order letting them see several thousand pages of records which San Quentin Prison officials kept on ji Jaga while he was there. But about 2,000 pages of them were destroyed before the attorneys had a chance to copy them. San Quentin's warden said he ordered the records destroyed because they were unusual and unauthorized.

July 12, 1979: FBI Director William Webster was publicly embarassed when, after what he said was "an exhaustive review" of FBI files, he reported to members of Congress, "You may be assured that [ji Jaga] was never a target of the FBI's

COINTELPRO" program. Webster hastily ordered a second internal review when it was pointed out to him that 1970 FBI memos specifically naming ji Jaga as a COINTELPRO target were already public.

December 1979: The FBI released a specially prepared statement saying that Julio Butler "supplied no information on ji Jaga" to its agents. Then just one month later, in January 1980, the FBI released logs listing the dates and Los Angeles street corners where Butler gave its agents information about the Panthers in general and ji Jaga in particular. Asked to reconcile the contradiction, a deputy U.S. attorney general who had earlier denied the FBI was withholding any information said simply, "The latest information is correct." Butler, by this time an aide to a member of the Los Angeles City Council, denied making the contacts or supplying the information, and accused the FBI of lying about him.

May 23, 1980: The FBI launched its third internal probe in little more than a year into its role in ji Jaga's murder conviction. The second probe turned up additional information casting suspicion on the bureau, including outlines of some material that the FBI refused to release in full. The probes were conducted under pressure from California congressmen Pete McCloskey and Don Edwards, who complained that the second one did not include interviews with FBI employees working in the Los Angeles office involved in COINTELPRO.

June 1980: A U.S. magistrate looking into ji Jaga's case said the FBI might be hiding behind its right to protect informants to avoid releasing some secret files that a federal judge ruled ji Jaga should have. As an example, U.S. Magistrate Frederick Woelflen held up copies of a document the FBI had censored nearly every word out of before releasing it.

February 1981: A newly released FBI report said the agency picked up "street talk" prior to ji Jaga's trial that Butler was "trying to frame" ji Jaga on the murder charge. The report also admitted that in 1970 and 1971, the FBI forged and sent phony letters designed to discredit ji Jaga and other Panther leaders.

Also February 1981: A retired, twenty-five-year FBI veteran assigned to COINTELPRO said in a sworn statement that codings on FBI documents that were released make it clear that the FBI wasn't being truthful when it said a key file made available to ji Jaga was complete.

March 1982: Two associate prison wardens testified that they made no attempt to correct erroneous information placed in ji Jaga's central prison file, and as a result false "labels" followed him through his first ten years of imprisonment.

1991: Retired, twenty-five-year veteran FBI agent M. Wesley Swearingen, assigned to COINTELPRO cases in the '60s and '70s, told one of ji Jaga's attorneys he was in FBI headquarters in Los Angeles during the ji Jaga trial and overheard a fellow agent say, "the son of a bitch was in Oakland." Swearingen said in an affidavit, "Based on the context in which I heard [the agent's] comment, I took that to mean that [the agent] knew that [ji Jaga] was in Oakland at the time the crime was committed in Santa Monica."

Swearingen also said when he reviewed Black Panther wiretap records in 1976 and 1977, pursuant to a Freedom of Information Act request, he found a document revealing the FBI had authorized a wiretap at the LA headquarters during a five-

week period in 1968, but he could find no evidence of the wiretap logs. "That was incredible," he said in the affidavit. "There was no document to reflect that the materials had been destroyed pursuant to any FBI authorization . . . [I]t is the only time such an event ever happened that I know of. In my opinion, one or more persons in the FBI Los Angeles office deliberately saw to it that these materials were not available."

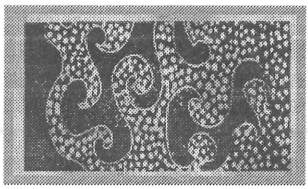
Also in 1991: Paralegal and investigator Patricia J. Richartz disclosed that she and investigator David Fechheimer were admitted by court order in 1975 to the FBI's closely guarded wiretap files in the San Francisco federal building, where she saw an FBI wiretap log placing ji Jaga at a house on Santa Rosa Avenue in Oakland at about the same time as the tennis court murder. She mistakenly assumed the information was already available to ji Jaga's lawyers.

The FBI disclosures have slowed down in the past decade. Ji Jaga's request for parole was denied for the thirteenth time in August, 1994. Barring some new bombshell of declassified files, the next step will be a ruling from Los Angeles County District Attorney Gil Garcetti, who was asked in 1993 to reopen the case. Ji Jaga supporters who are making the request of Garcetti include Johnnie Cochran, influential African American political and religious leaders, and The Rev. James McCloskey of Centurion Ministries in New Jersey, who has succeeded in freeing other unjustly jailed prisoners.

McCloskey investigated ji Jaga's case for six months, and produced a report that attacked Butler's credibility, cast doubt on Kenneth Olsen's eyewitness identification, and revealed that three of the jurors who originally convicted ji Jaga now believe in his innocence.

Each new revelation seemed startling at the time it was disclosed, and as ji Jaga's attorneys filed appeal after appeal, they continued to be confident that the next move might be the one that freed him. But none did, right up to the U.S. Supreme Court. Lead attorney Stuart Hanlon says he gave up on the courts in 1990, even though he continues to look for new ways to appeal.

"For whatever reason, the ji Jaga case is politicized beyond repair," he said in a recent interview. "Maybe it's that in order to give him a new trial, people think you have to crucify too many people . . . there was in fact an illegal war on the Black Panther Party run by the FBI and local police with the knowledge of the justice department. That is a given. The people who ran the program all moved up to positions of power as ji Jaga tried to fight it. So there's a lot to protect."



GERONIMO, CAGED KNOWLEDGE

Cecelia Sutton

As I drive along the many roads leading to Mule Creek prison on my way to visit Geronimo, I can't help but think about the injustice of incarcerating an innocent man for his political beliefs.

Mule Creek is about 45 minutes outside Sacramento, California, far away from friends, relatives, and all those concerned about a prisoner's welfare. The prison seems to be the only multi-stoned building in the town of Ione.

When I pull into the driveway, I start mentally checking things off my list of what to take inside and what to leave behind. I remember what happened the last time I visited Geronimo. If I want to see him with no hassle, I have to conform to their rules, which makes me a prisoner for the brief time I'm here.

When you go inside to register to visit an inmate, be prepared for a full body electronic search. If your undergarments have any kind of metal in them, remove the metal prior to your visit. I am wearing a beautiful, bright yellow underwire bra. I have to go to the restroom and cut my bra up to get the wire out because, otherwise, I would not pass through the inspection point. I have to take all of my jewelry off, as well as my shoes, so that the guards can inspect them for metal parts.

I am not aware that I can only take a small amount of money with me. Of course, I don't have a million bucks on me but because I had a long drive, I do have extra cash; 150 miles in both directions is a long way to travel. Before I can visit Geronimo, I have to go back to my car and put away my extra cash –leaving me with $5 in change for the vending machines.

All my pennies are taken and the guard asks me if I want to donate them since I cannot take them in the visiting room with me. So of course, I say sure. The guard next to the one speaking to me is an obnoxious prick. He says "Well, maybe these pennies will help all the welfare mothers get a job."

I want to slap him so bad. My friend has to hold my hand to prevent me from raising it. I

force myself to hold on tight to my personal belongings to keep from hitting him. I know any kind of a reply could jeopardize my chance to visit Geronimo.

The prison is oppressive. After passing the check point, I pass through a gate enclosing an area small enough for the guards in the watchtower to see us and let us into the compound. While we (the visitors and I) stand inside of this steel cage that totally surrounds us, we compare ourselves to animals in zoos. As we stand here together, I check out what the other female visitors are wearing and notice that this white lady has on a dress that definitely does not meet the skirt/dress length requirement. I wonder why she is allowed to visit with her dress so short. I was here a few weeks earlier wearing a dress about the same length as hers, and before being admitted, I had to endure the indignity of wearing prison handouts to cover my legs if I wanted to see Geronimo.

But, if you want to see someone you care about you have to endure the indignities or just not visit. The first thing I tell G this day (people who know him well call him 'G'), is that he'd better be glad I love him because I just ruined one of my favorite bras to visit him.

Geronimo is a highly spiritual man who has endured major set backs in his life. Considering that he has been incarcerated for twenty-five years, he has remarkably high spirits. He just wants to go home. At this time he is very optimistic about the possibility of being released soon. As a matter of fact he is more hopeful than I've ever seen him. Since Johnnie Cochran, one of G's original lawyers, has defended O.J. Simpson, the publicity and the connection could help expedite G's release. Cochran has said numerous times that his only failure in his career is that he has not gotten Geronimo out of prison. the newspapers have written about it, and T.V. news reports have shown Cochran on the courthouse steps talking about G. This exposure combined with the efforts of people involved in his campaign in L.A. has led many to believe that if ever there were a ripe moment for his release, this is it.

Gil Garcetti of the L.A. District Attorney's office is receiving a lot of phone calls and letters from everyone who supports G's case. G wants everyone not only to pray for him, but to also call Garcetti to tell him that Geronimo should be released from prison ***now***. [Every phone call helps: (213) 974-3511]

Although Geronimo is now 48 he is quite a virile and handsome man. His skin is clear and clean. He sports a bald head and loves to have it massaged. I enjoy caressing that man's head. I want to try to let some of my spiritual effervescence flow to him through my hands. I can smell his musky aromatic cologne. My female energy is in tune with his male energy. No words are necessary to convey our mutual spiritual attraction.

It is so frustrating to see him locked up like an animal. Mule Creek is filled with young, virile, handsome and intelligent Black men. Too many Black women are without a Black male counterpart because so many of our men are in prison. I now understand why some women marry prisoners. That's where most of the eligible men are.

G and I discuss how plans could be implemented to educate our race against the coming tide of fascism. We both recognize the slow but steady policies being put in place to set up a police state in this country, and we agree that it would be just

a matter of time 'til all people of color will be required to show some type of documentation to prove their status. G has plans to reach out to the Black community and try to instill unity, pride, and purpose.

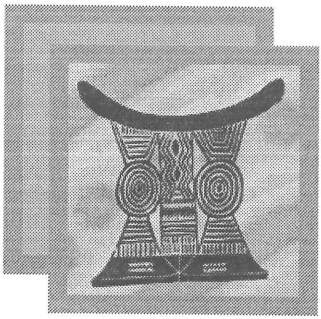
As the mother of a sixteen-year-old son, I am in a constant state of trepidation about his future as a Black man. I want to ensure his future which is why I attempt to learn all that I can about the continuing struggle for the freedom of Black people throughout the African Diaspora. I express to G that we all must prepare ourselves for the necessity of a quick departure when the revolution comes. I am getting prepared to leave at a moments notice. I have been waiting for a civil revolution to come for a long time and when it comes, as it inevitably will, I am going to be ready to do my part: by any means necessary.

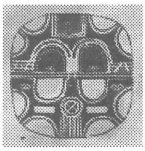
We gain intelligence by exercising our minds, reading, writing, and studying everyday. Black women with children growing up in this country must prepare them for the continuing struggle for the liberation of Black people. And, the most powerful tool we can give our children is knowledge of self. When you know your history you can fight with the weapons of righteousness.

Although in prison, G does everything he can to keep abreast of current issues concerning the Black community. He is a well-read individual who could lead young Black men and women to their destiny of equality. If he were out of prison, I would volunteer all the time I could to help him.

When it comes to Black history, he is a walking historian. Right now he is heavy into African spirituality. He believes that all Black people in America should take African names which describe their personality. He tells me: :Get rid of that slave name and take a name that describes your essence." He believes Black people should research their ancestral history. (I am trying to find a name that fits me.)

Though my visit with G lasts for over four hours, the time seems to fly by. I only wish I can write down some of the things he says to me. I feel like a student sitting at the feet of a great wise man. As the visit ends he admonishes me to keep teaching and training the youth. "Help them to prepare for what is surely coming." With those words ringing in my head I hug him and say good-bye.





Prison Poem

by Ayanna Laini Tamaa At-Thinnin

The first time I saw the inside of a jail I was 13
It was cold
hard
cruel
viciously lacking in
light and color

The first thing I had to endure . . .
the strip search
body cavities and all
to my virginal adolescence

Innocence lost?
Perhaps.

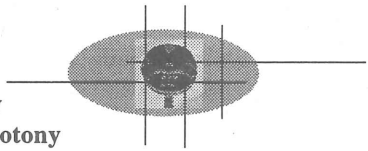
I could only continue to rebel
I gave them hell

Then of course
they were constantly trying to mess with my mind
"you're intelligent,
a leader
not like the rest of them"

With that I began to strive to be
like the best of them

Just feeling the need to move against
reason and nature of my pain

I began to fight harder
and returned
again and again.



County Jail and JDC
Reform school and solitary
Social isolation and monotony
Totally cut off from family.

The concrete and steel
bars and bricks
basements and mind tricks

Solitary is certainly the worst

Metal or concrete slab
a pot for a toilet
light bulb
4 cornered room
nothing else but the nasty food.

Afterward

After being told one more time
that I deserved to be
belonged
where I knew even the
damned didn't deserve to be

I stood by the chain link fence
looking at the dirt road
the sun,
the wind
the flight of the birds
the river flowing in the distance

continued on the next page

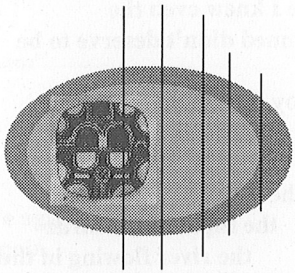
Afterward
yearning for understanding
fulfillment and compassion
longing for justice
freedom and harmony

After knowing
and growing to love
the women who rebelled

After
day after day
of insititutional control and oppression
degradation and depression

After thought
analysis
observation
and realization
I decided
chose
vowed
prayed
and I knew
to destroy it
bring it all down
change it
and create . . .

June 1995



Ayanna At-Thinnin is a Oakland-based radio producer, poet and prison rights activist. Her husband, Shaka, and she have six children, five boys and one girl. She also works on the Mutulu Shakur Defense Committee.

ON A MOVE!

Ramona Africa

As Minister of Communication for the MOVE Organization, Ramona Africa *works ceaselessly to attain justice for New Afrikans. She is a survivor of the May 13, 1985 massacre of MOVE members, which occured when Philadelphia mayor, Wilson Goode, ordered the bombing of MOVE's Osage Avenue headquarters.*

(Talk delivered in Department of Women Studies' Incarcerated Women's Class taught by Chinosole at San Francisco State University, October 26, 1994.)

INTRODUCTION BY MUHJAH SHAKIR ADVOCATE OF POLITICAL PRISONERS AND PRISONERS OF WAR

Sisters, brothers, and students of San Francisco State University, it's a pleasure to be invited to speak on behalf of the many women and men, our comrades, our sisters and brothers behind the walls. I bring to you revolutionary greetings from a few of those individuals, in particular, Dr. Mutulu Shakur, Sekou Odinga, Sundiata Acoli, Jalil Muntaqim, Geronimo ji Jaga and Mumia Abu-Jamal. I'm directly and indirectly in contact with all of them, in some instances through other people who work towards their freedom.

The feeling of immediacy and urgency is paramount. It's that sense of immediacy and urgency that I seek to convey to you, as I also set the stage for the introduction of our speaker, Ramona Africa. The urgency I speak of has to do with the need to build a national and international movement that will raise the human rights question of political prisoners and prisoners of war as it relates to self-determination and independence. Take a look at the United Nations declaration that proclaims independence to colonial people. We will learn that not only is it our right, but it is our duty to resist tyranny. It's an inalienable right. It's a God-given right to resist and throw off the shackles that bind us.

Ever since history has been recorded there has been a special quality within a smaller population of the people who would resist oppression more fervently than the masses. Often these individuals would rather die than sacrifice their principles. This is the type of person we are honored to have with us today. She's truly a freedom fighter. We must place this discussion in the correct context in order to fully under-

stand the differences between a criminal and a freedom fighter. The war, the "secret war," which has been waged against Afrikan people and other people of color gave birth to our resistance movement. Those political prisoners and prisoners of war mentioned earlier were targeted for neutralization. There are hundreds of others not named. They have been imprisoned because of their political beliefs and liberation activities in resistance to the deadly and diabolical "secret war," so named by the infamous FBI director J. Edgar Hoover. Their not so "secret war" activities are well documented and deserve your research. It is time for . . . students across the country to pull together, to organize our communities, to demand justice, self-determination for the oppressed masses and amnesty for all political prisoners of war. If we don't do this we are forsaking our duty.

Our speaker is dedicated to the simple truths of respect for life. She's beautiful, she's special because she loves life. She's special because she's a revolutionary. And that word should not frighten you. The only reason it frightens you is because of the propaganda machine that we've all been subjected to over and over and over and over again. We got to de-program ourselves. A revolutionary wants change. It's very simple: we want change, we want a better way of life, we love, and that's the reason why we do the things that we do. If you believe in environmental justice, you will respect our speaker and her family. If you believe in the rights of animals, you will respect this speaker and her family. If you believe in harmony, justice, freedom, and the pursuit of happiness, then you will respect, and also love and admire our speaker. Ramona Africa was charged with conspiracy, riot, and multiple counts of simple and aggravated assault, even though she was the only surviving adult after that bombing in 1985. No testimony was presented indicating she ever held a fired weapon. A jury found her guilty and the judge sentenced her sixteen months to seven years. She did the entire seven years. The lieutenant who dropped the bomb and the officer who assembled it refused to testify citing the fifth amendment right against self-incrimination. Mayor Goode appointed a special commission to investigate the catastrophe, but it had no power to indict. Findings released in March of 1986 were highly critical of city officials and included extensive recommendations. But as years passed these were largely disregarded and forgotten. I would like all of you to stand up and give a very warm welcome to our sister, to one of the toughest women that I've ever met, a true freedom fighter, Ramona Africa. [Former Mayor Goode apologized for his wrongdoing on national T.V. (ABC on May 13, 1995.)]

RAMONA AFRICA

Thank you very much and on a move! We say the words 'on a move' because that's what we are and that's what we want to encourage all of you to be —on the move. Not to stagnate, not to sit back in apathy and accept illusions. It is in our power and our hands to do something about it. I believe that the program is to answer a few questions about the film that you just saw first, and then I will speak. But the main thing that I do want to let you know is that I am not here to give something to write a paper about, to talk about amongst yourselves. That is not

going to change anything. I am here to give you something to really think about to change your whole mentality, to change the way you look at things and motivate you to make the decision to do something.

It doesn't matter how small it may seem, or how magnanimous it may seem, but to do something. Commit yourselves to doing something to change the system that we live in to make this a better place for yourselves, your family, your children, your sisters, brothers, husbands, wives, whatever. Do something for yourself. Not for MOVE, not for Ramona, not for Muhjah or Chinosole or Geronimo or Mumia or anybody else. Do it for yourself because you are Geronimo, you are Mumia Abu-Jamal, you are MOVE people, you are Sundiata Acoli, and Leonard Peltier. You know, these people are not separate from us; they are us and we are them. What we allow to happen to them leaves the door open for it to happen to us.

I'm saying that we have to do something about the rampage of injustice and brutality that is rained down on us. Not on some people out there on Mars but on us right here. We can stop it, and it doesn't take violence. It doesn't even take guns or bloodshed or any of that. All it takes is one thing —unity. In the absence of unity you got a different story because the reason that the MOVE organization was attacked, the reason Geronimo has been in jail for twenty-five years, the reason my family has been in jail sixteen years, the reason Mumia has been on death row for the past twelve years is because this government feels like it can get away with it. They can just do this and it's business as usual. That is really what I'm going to be talking to you about, the urgent necessity for all of us, particularly young people, college students, to get involved. To make the decision here and now this evening to do something. Commit yourselves to doing something. That is the bottom line.

Question: *I'd like to know the history of MOVE.*

Answer: The MOVE organization is a deeply religious organization, but we are a revolutionary organization. And really what makes us revolutionary is the injustice in this system. You know, because basically we are a religious organization. Revolution simply means change and if things were not wrong, there would be no need for change. You don't have to change right, you only have to change wrong, and that's what makes us revolutionary. But we are a deeply religious organization. We believe in life. That is our belief not in an abstract way, in a very real way because life is real, it's not some abstract theory out there. Life is the air that fills your lungs. Life is the force that lays you down when you're sleepy and wakes you up. Those things don't happen by coincidence. Life is the force that keeps the water moving so it doesn't stagnate and so that you can drink it. Life is the force that keeps the air moving so you can breathe it, you know, so it doesn't stagnate. Life is the force that pushes food up through the soil to feed all life. Those things don't happen by accident. Life is the force that coordinates you to eat by giving you the feeling of hunger that tells you to eat, the feeling of thirst to tell you to drink. The force that really makes you see. The instinct of breathing, mating, drinking, all these things don't happen by accident. They're coordinated by the force of life, and that is what we believe in. We believe that every aspect of life is

here for a reason, is to be protected whether we understand it or not. MOVE doesn't see ourselves as superior to any form of life because we understand that all life comes from one source, is coordinated by one source . . . whether you call it "Allah," "Jehovah," "Jesus," or whatever. We call that force nature, mother nature, "mom." But whatever you call that force, there is only one. And if we understand that all life is coordinated by that force, comes from that one source, then how can anything that comes from one source be superior or inferior? It all has to be the same, doesn't it? All have to have equal importance.

This is what our founder, John Africa, had taught us. And because of that we protect the air, we protect the water, we protect the soil, we protect animals. We don't allow anybody to abuse animals around us. We don't allow anybody to abuse babies around us, or the elderly. No form of life. We confront industry that poisons, pollutes our air, our water, puts toxic waste in our soil. These are things that nobody is exempt from, no matter how much money you have, how much status you have. You got to drink water, I don't care how much champagne you got in your cellar. You have to breathe the air, I don't care how much coke you sniff up your nose, or whatever else you do. You must breathe air. I don't care if your name is Hillary Clinton, or you know, the woman that lives on the street down the block, that lives out on the street. It doesn't matter, you have to breathe air.

This is the principle that John Africa taught us. And as hard as it may be to believe, this simple principle that cannot be disputed is what has put us in conflict with this system. Because this system doesn't give a damn about life whether it's man, woman, child, black, white, or whatever. This system doesn't care. Those that run the system, they don't care. All they care about is money, that almighty dollar, that piece of paper with a dead man's picture on it. That is their god. That is all they care about. That takes priority over everything.

And when I say those that run the system, I'm not talking about Bill Clinton or any politician. They don't have any power. They're taking orders. The people that really have the power are the handful of big time industrialists. The handful of rich families that run the world. They are the people that make the decisions, that call the shots. They are the ones that put Bill Clinton in office. They are the ones that put priority and money over life, even though they have to breathe life. They have to eat life. Their children, grandchildren, great grandchildren have to breathe life. And that tells you how dangerous they are because a person that don't care about themselves, don't care anything or anybody else. And you can go to the bank on that.

And as I said it's that simple principle that has put us in conflict with this system, because the MOVE organization started out twenty years ago in the early seventies, founded by a wise, perceptive, sensitive Black man called John Africa. And John Africa taught us to respect and revere life. And based on that belief, we had peaceful demonstrations at the zoo in Philadelphia and in the Bronx, New York. We demonstrated against unsafe boarding homes for the elderly, the Ringling Brothers Barnum & Bailey Circus for their abuse of animals, their mistreatment of animals. We went to symposiums and conferences on gang warfare. But the truth is that when we would go to the zoos or to any type of demonstration around animal rights,

the rights of animals, I mean we hit them hard. We asked people what made them think that the mink coat looked better on them than on the mink. I mean, these people are arrogant, and want to get an attitude with anybody who tells you that you shouldn't do that. When we confront industrialists or the nuclear industry, they're going to get an attitude because we said we want clean air to breathe. I mean, how dare we! And when we would go to these programs we would hit them hard and uncompromisingly. The information was so simple and so clear that there was no defense against it because there is no defense against the truth. Any number of lies can't stand up to one truth. And people were so affected by it that it made these institutions that we were confronting look bad. Look real bad. So their only response was 'Get out of here. We don't want you demonstrating out here. Move it.' And we wouldn't move. We kept demonstrating and protesting.

And what would they do? They would call the cops, of course. And when the cops came out and looked at MOVE, and looked at the people running the institutions, who do you think they were going to side with? They were going to back the institutions. That's when the brutality started. That's when MOVE'S babies got kicked out of pregnant MOVE women's stomachs. That's when MOVE women were beaten bloody, MOVE men beaten bloody and charged with assault, and thrown in jail. MOVE people racked up like six hundred arrests in a year. Over a million dollars in bail in about a year. That's how the courts treated us, and that's how we ended up getting into the court system, the so-called legal system. We didn't start out confronting cops and judges and politicians. We started out doing environmental work, going to conferences and animal abuse programs. But once we got into the court system, we were forced to defend ourselves against judges, sheriffs, cops, prosecuting attorneys. And John Africa had coordinated us to do that so effectively that the courts had the same attitude that cops and anybody else that supports institutions of the system. They didn't want to hear it. I mean, they would start off right away. When we would have to go to court, you know how the court bailiff says, "All rise, the honorable Judge . . ." We'd be sitting there. At first, they would try to force us to stand up, and there would be physical confrontations because you're not just going to put your hands on us, try to force us to stand up and whatever and think that we are not going to defend ourselves.

We are not masochists. We are not pacifists. We believe in self-defense, and we are armed and equipped with the wisdom, the understanding given to us by John Africa to know the difference between self-defense and violence and to understand and explain that they are not synonymous. You are violent, you are suicidal and masochistic, which is the ultimate violence when you don't defend yourself. That is the ultimate violence because if you allow yourself to be violated and abused, then what kind of protection can you provide for anybody or anything else? Anyway, while we would not stand up for these judges; obviously the question is 'well, why?' And we explained because we have been given the understanding of true equality. Now you said you will give me equality, but you want to make me stand up for you and you ain't standing up for me. What makes you better than me that I have to stand up for you and call you "honorable," and you looking down your nose at me like I'm the scum of the earth, and you haven't seen me do anything,

and I ain't been, you know, found guilty of anything? And we just put it out to them. We're not the criminal. That judge and anybody that supports that kind of system is the criminal. We do believe in equality. I will stand up for you no more than you stand up for me. We're on the same level. You ain't no better than me and I ain't no better than you. People understood that very clearly and stopped standing up for judges during MOVE trials. When we wouldn't stand up, the spectators wouldn't stand up. And the judges would get totally embarrassed.

They would get mad and angry and they would find us guilty of charges not because we were guilty of any crime, but because we embarrassed them and they were out for vengeance, not justice. That led us to demonstrating at judges' houses. MOVE people on the street. We were not gonna sit back and watch our family treated this way in court and just accept it in quiet frustration. That is not MOVE's way. When those judges walked outside of City Hall during MOVE trials, they didn't just walk by us and we act like we didn't see them. We would confront them on the spot. 'That's right, that's Judge so-and-so that set up in that courtroom and said this, that and the other, or did this to my family.' And the judges started getting real messed up and wanting protection and said that we were causing a problem, and all this. Then we would go demonstrate at their homes. We'd find out where they live, because we had support in a whole lot of places. How dare you go to a judge's home and demonstrate! I mean, it was unheard of. But we did it, and we got beat bloody behind it, we racked up more court cases behind it, but we scared the hell out of the judges and the system. And you know, they knew that we were a force to be reckoned with and that we could not be intimidated. That's how we got into the court system and that's how things escalated from the early days on. It just escalated on up.

MOVE people would not just sit back and accept injustice. When we saw it, we would confront it and expose it, and we would take whatever came with that. You know, that is the commitment that John Africa had put in the people. It has nothing to do with Ramona or my brother Moe Africa or any of my sisters and brothers that are in prison today . . . you know, going on sixteen years. It has nothing to do with that. It has to do with the belief given to us by John Africa. And John Africa told us something that was just so profound and speaks to the commitment in MOVE. John Africa explained to us that you are as you believe. So if your belief is righteous, if your belief is strong, you cannot help but be strong and righteous, because you reflect your belief. Not what you say you believe in, but what you really believe in. You see, when you stop listening to what people say and look at what they do, then you will see clearly what people believe in. You can tell me all day long that you're a Christian, that you believe in Jesus Christ, but when you don't follow Christ's example, and you go to a laboratory five, six days a week and go to church one day a week, what do you really believe in?

Q: *What did Brother John Africa do to capture the attention of MOVE members?*

A: In the very early days of MOVE, John Africa used to have study sessions where people could come around and listen to the teaching of John Africa. Because once you hear MOVE belief, it is so simple, so true that it's like you always knew it. 'Yeah, I knew

that.' But, we don't really. I mean it. It's instinct in us, and when we hear it, it rings so true . . . it's like, "yeah." When John Africa puts it out and explains it, it just grips you.

Q: *Was he a sidewalk speaker by any chance?*

A: Not really a sidewalk speaker, I mean, outside of MOVE headquarters a lot of people used to come around and John Africa would talk to them and give them, you know, his belief talk. Tell them about natural law, which is our belief, and people were so gripped by it. But, you know, the main thing that John Africa did that cements the commitment of MOVE people was that he set the example, John Africa was not a phony at all. What John Africa preached he lived, uncompromisingly. And the love and attention and sincerity that we got consistently, not in a mood or at certain times, but consistently from John Africa showed us the love and sincerity that John Africa had for not only for what he believed in, but for us. We could not help but love John Africa and understand the commitment that he demonstrated to his belief and that inspired us; and, you know, put that commitment in us to want to follow that example out of love and loyalty to John Africa, not really so much out of love and loyalty for . . . initially for us, because we didn't really understand the importance of life. We understood what John Africa was saying, but it was like, we couldn't really relate to it. It took years, and we're still going through it. At this point MOVE people are not clear. We're not perfect. But our belief is. Our belief is indisputable and we just work every day, every hour, every minute, to get as close to our belief as we possibly can. But, you know, it was our love and loyalty for John Africa that kept us committed and keeps us committed, and keeps us working, so that the longer we keep working the more in touch we do get with life. I've been in MOVE since 1979, so that's like fifteen years. And I understand that I am closer to life and to the understanding of life today than I was then. But nowhere like I should be or could be if I had not been imposed on by the system. Our children are much more in touch than we are. But, I"ll work to get to that point because I know it's right. I know nobody can prove that it ain't. And that's what gives us the security to keep going. Nothing is more powerful than the security of knowing that what you believe in is right, and you can prove it and substantiate it to anybody. I don't care how much education they got, how much money they got, what kind of fancy words they can use, what kind of intimidation they have. When you know that your belief is right and it's indisputable, nothing can make you more secure than that.

Q: *What happened to John Africa?*

A: John Africa was killed on May 15, 1985 in the bombing. In May, the MOVE headquarters was demolished by officials within hours after my family was arrested. This was the scene of a crime. The scene of a death . . . and not just any death, possibly the murder of a policeman. Now, since when do officials destroy evidence instead of preserve it? You all have seen that yellow tape that that they

cordon off areas with whenever there's a crime? They didn't do that. They came right in within hours and demolished MOVE headquarters. Not just MOVE headquarters, but the tree that was on our grounds. Now, why would you demolish a tree? What would you say about a tree? They wasn't out of control. They knew exactly what they were doing. In fact, because they planned to destroy MOVE headquarters, there was a court order signed by a Black judge named Calvin Wilson, forbidding the destruction of the MOVE headquarters. Now, there was a court order prohibiting this, not to mention, after that it was the scene of a crime, and they still come in with bulldozers and demolish it. That was not an accident. And if it was, why wasn't they hauled up on contempt charges for violating a court order? Why wasn't they hauled up before a judge for tampering with evidence in a murder trial? The police commissioner said that he was the one that ordered MOVE headquarters to be demolished. Now, he's a cop. He don't know that you don't destroy evidence? I guess when he goes out and makes a drug bust, they flush the drugs down the toilet, right? It makes no sense at all except that they planned to put MOVE people in prison despite anything. Their intentions, first of all, was to kill.

Just like on May 13th of 1985, they came out to kill, not arrest. They came out to kill. Same thing in 1978. What messed them up in '78 is that they came out there armed for war, planned to exterminate every MOVE man, child, woman, animal . . . any living thing in that house. And they failed. And then, one of their cops was killed, and a number of other cops and firemen were injured. Now, they messed up. They couldn't understand how this happened. And they had the nerve to say that Bill Africa, Delbert Africa, Merle Africa, or whoever, killed this cop. The judge that sat on that trial could not say that any one MOVE member shot that cop. Could not prove that anybody did it. But still sentenced all nine people to one hundred years in prison, thirty year minimum to a hundred year maximum sentence. Four women and five men. How could nine people fire one bullet? Impossible. What did they do? Did all nine of them put their finger on the trigger? You know, it's one thing to say: 'Bill Africa did it. He fired the shot that killed this cop, but the other eight of you are guilty of conspiracy.' That would be one thing. MOVE is innocent, period. But, I'm saying that might make a little more sense. But, nine people convicted of murder? All given the same sentence. I mean, first of all, when you are given a sentence for a crime, there are things that are supposed to be taken into consideration: prior offenses, your specific involvement in the alleged crime, or if you sat back and talked to someone about it, but you didn't really go through with it. You might have been in the neighborhood. How do you get picked up, arrested, convicted, and sentenced and did the same sentence of somebody who went into the liquor store or bank, and killed somebody or robbed it or whatever? It doesn't work like that. You're supposed to sentence people individually based on their alleged participation in the crime.

Now, the trial judge did not do that. He made a sarcastic remark about . . . 'Well, you said you are a family, so I'm treating you as a family.' And he gave all nine people one hundred years in prison, even though there was never any testimony about MOVE sisters, that they did anything but hold babies. Cops testified that they were looking in the basement of the headquarters, and all they saw was the women holding babies. Now, some of them tried to say they saw some of my brothers with

weapons. They did try to say that, but they never said they saw my sisters do anything but hold babies. As to the brothers, they have yet to prove that. They came out with all these weapons that they said were MOVE peoples' weapons that they got out of the basement. Meanwhile, these weapons were sitting out there shiny from a basement that had been deluged with water. You know, knocking down beams in the cellar, mud all over the place because it was a dirt floor. But these weapons that MOVE people were supposed to have were shiny. You can't explain that.

I mean, when there is a serious confrontation between a revolutionary organization and the police —even if nobody is killed at all— the revolutionary people are going to be arrested and charged with something. I'm proof of that. I didn't do anything on May 13th. The only thing they said they saw me do was come out the house with a MOVE child. I got a 4.5 million dollar bail, didn't even have a murder charge, 4.5 million dollars and seven years in prison. So obviously, any time there's a confrontation like that you can expect the revolutionary people to go to prison for a while. But, in a case where a cop is killed? Who do you expect them to charge? Do you expect them to say, 'Well, we accidentally killed our buddy in the line of fire?' No they're not going to do that. Obviously they're going to put it on MOVE. So, the fact that MOVE people were charged with murder should not a surprise to anybody.

Q: *How old were you?*

A: I was twenty-nine. I"m thirty-nine now.

RAMONA AFRICA

Those who rule do care about unity, and that's why MOVE was such a threat. MOVE will work with any organization that is talking about defeating this system, that is talking about putting things right. We work with Native Americans, animal rights people, environmentalists, socialists, communists, whatever you want to call yourselves. We don't care. If you are serious about getting this system off our backs, if you are serious about directing yourself to our common oppressor, we will work with you. And, you know, that is what is a threat to this system because they have seen MOVE people unite people, and make it clear to people that I don't care if you're Muslim, Christian, democrat, republican. If you are poor, if you're one of the oppressed, you get beat with the same black jack, get thrown in the same cells, get the same lethal in jection, gas chamber, electric chair or whatever until we get that common oppressor off our back. Now, once we do that first of all we'll find that a lot of those differences that we thought we had was just manufactured. Secondly, what so-called differences that there may be, I think you will find they can be worked out very easily without that oppressor in the mix making trouble. And so I say, yeah, it can be done. But in the absence of unity we do have a problem because the MOVE organization was a target. Mumia Abu-Jamal was targeted, the Black Panther Party was targeted, the Black Liberation Army was targeted, because we stand out like sore thumbs. And what I'm saying is when people come together, I mean, we can get things done. Unity is what this system fears. ◆

COVERT CAMPUS WARS

Tracee Wills

When Jason "Quddus" Archie, a student at San Francisco State University, walked into his composition class late on February 16, he could not have known that simply questioning what the class was doing would ultimately lead him to be taken into police custody and re-incarcerated.

But on March 23, 1995, Jason "Quddus" Archie was remanded into the custody of the California Department of Corrections for violating his parole. This action by the California Parole Review Board stems, ostensibly, from a classroom "confrontation" which occurred between Virginia Elliott (a faculty lecturer) and Quddus Archie (a student) at San Francisco State. Together, SFSU Administration, the University Police Department, and Jim Quen (the student's parole officer) have manipulated the sequence of events resulting in Quddus' arrest. The actions taken by SFSU administrators and the parole agent have caused irrevocable damage to the student's college career and to his morale. [Editors note: After Quddus was released from prison late summer of 1995, the SFSU administration banned him from campus.] Moreover, a critical examination of the sequence of events exposes the unjust forces inherent not only in United States society but also in the institutions charged with protecting its interests.

On February 16, 1995, Quddus Archie entered his English composition class late and asked the instructor what the class was doing. The class was involved in a silent writing activity, but rather than explain the exercise at that moment, the instructor told Quddus to sit down and shut up. The student and the lecturer exchanged words. During the exchange the instructor threatened that she would call the police "if any further disruptive behavior was displayed by a student." Class instruction continued, and according to the accounts of both the student and the instructor, the two agreed to meet after the next class on the following Tuesday, February 21, to discuss the matter.

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However, before the arranged meeting, the instructor contacted Bob Westwood, the campus student discipline officer, because she wanted to know how she should handle the situation. The officer directed her to the University Police Department. By deferring the matter to UPD, Westwood, the University official charged with administering student disciplinary procedures within the California State University system, disregarded proper university protocol as set forth in the California Code of Regulations. Westwood, who reports directly to Jesselyn Saffold, Vice President of Student Affairs and Dean of Students, was undoubtedly aware of University policy; yet he circumvented that policy, suggesting that he knowingly played a role in the orchestration of the eventual outcome. Furthermore, even if Westwood did not explicitly tell UPD how to handle the situation, when he deferred the matter to UPD, he had to expect one of the two following scenarios: 1) UPD would recognize the student's name, and already aware of his parole status, notify his parole officer; or 2) UPD would enter Quddus' name into CLETS (California Law Enforcement Telecommunication System), thereby accessing his parole record, and then notify his parole officer.

As directed by Westwood, the instructor did indeed notify UPD to discuss what she described as the student's "aggressive verbal behavior" which made her feel "uneasy" and "uncomfortable." Ronald Lam, a UPD officer, informed her that disrupting a classroom is a violation of the law. After speaking to Officer Lam, the instructor filed an "informational report," as an alternative to a crime report "just in case he (Archie) acted out again later on." Offering UPD support, Lam suggested that he could "have a police officer present or nearby" during the meeting scheduled for the student and instructor to discuss the classroom incident and "Elliott agreed to a standby."

When the meeting was conducted after the class, the plain-clothes UPD officer waited in the next room, listening to the conversation which, according to his report, was carried out in "normal tones." Satisfied with the outcome of the meeting, the instructor informed Officer Lam that *she desired no further action be taken, on the part of the Department, against Quddus* [my emphasis].

Why then did Jim Quen come onto the SFSU campus and arrest Quddus? Because he was called and, directly or indirectly, asked to do so. Disregarding the instructor's wishes, which were "not a determining factor in his decision," Quen concluded that since "Archie had violated the conditions of his parole by behaving in a manner that caused the instructor to be uncomfortable enough to contact the student discipline office, and then UPD," he would take the student into custody.

Thus, on February 21, 1995, [ironically the 30th anniversary of the assassination of Malcolm X (El Hajj Malik El Shabazz) and also the month designated to observe African Liberation], Jason "Quddus" Archie was arrested in his History of African American Women class at San Francisco State University. His parole officer and University Police Department officers came to the class, disrupted the instruction of the class, seized the student, and took him away in handcuffs. He was first taken to the main jail in San Francisco, then transferred to San Quentin California State Prison the next day.

With the implied approval of SFSU Administration, Jim Quen acted as judge

and jury, a capacity well within his jurisdiction, simultaneously fulfilling the goal of SFSU Administration to rid the campus of dissidents. As parole officer, Quen is authorized to interpret his parolees' actions and determine whether or not they "violate" their parole. Under the law, a parolee has no rights, no autonomy, no voice. Accordingly, under the present system, a parole officer is given carte blanche to act upon his own biases. Thus, Quen's motivation is suspect and his integrity questionable. Why would anyone want to hinder the academic progress of a student, even if that student is a parolee, especially considering that the situation had already been resolved? How did an internal university matter become a criminal offense warranting a student's imprisonment?

Quddus is a second year International Relations and Black Studies major who attends SFSU with the assistance of Project Rebound, a successful program designed not only to welcome ex-offenders into the university by providing them with invaluable assistance and support, but also to re-enfranchise these men and women in society in general. Through his consistent involvement in affairs of academic and community concern, Quddus has demonstrated that he is an outstanding student, an effective student legislator, and a charismatic leader. While attending SFSU he has helped organize students to protest such legislation as Propositions 184 and 187 (California's version of "three strikes" and its anti-immigrant initiative). He also protested against SB 225, an underhanded attempt by the California Legislature to dissolve student government on CSU and UC campuses. And, ironically, although Quddus sat on the committee which invited respected civil rights leader, Rosa Parks, to San Francisco State's campus to commemorate the 30th anniversary of the Montgomery Bus Boycott, he was arrested the day before she arrived.

Following Quddus' arrest, many students, concerned about this unwarranted attack on student rights, protested the actions of the University. Members of Associated Students, the Pan-Afrikan Student Union, La Raza Student Organization, and others posted banners, and leafleted, attempting to inform the campus community of the unjust actions being taken by Administration. Although many people showed curiosity, most were unwilling to take a stand on the matter. Even fewer people were willing to contemplate the university's complicity in the Quddus' arrest, not even those familiar with recent SFSU history. And, many who did not perceive a direct connection between the university's action against their fellow student and themselves, were unapologetically indifferent. Although, hundreds of signatures were collected on petitions demanding justice for Quddus, that indifference and individualism made organizing on the campus a discouraging experience for the student's supporters.

I first met Quddus a year ago, a few months after he began attending SFSU, where I had been a student for over two years. During our first conversation, after learning that this mature looking brother was only a freshman, I asked Quddus where he had been. When he responded that he had been in prison, I was shocked: not because he had done time, but because he was so honest about having done time. I wanted to know where and for how long; he told me six years at Soledad. I was so impressed that Quddus had somehow managed to make the improbable

transition from prison to the university, I asked him if prison could in any way be credited with his present position as a student and his "rehabilitation" or if that came from his inner self. He responded that he was in school because he wanted to help his people, not because the prison system had attempted to rehabilitate him in any way. From that time forward, I have had a great respect for the brother based primarily on that initial meeting, but deepened by future dialectical interaction, by his obvious commitment to African people, and by his pledge to continue in the struggle for our liberation.

Shortly after our initial conversation, San Francisco State University exploded in conflict, stemming from the Malcolm X mural which was purported to be anti-Semitic. Senay Denis, the artist who painted the mural in Malcolm X Plaza of the Caesar Chavez Student Center at SFSU, portrayed the shining African prince as the pan-Africanist and anti-Zionist he was in 1965, the year he was assassinated. Quddus, who belonged to the Pan Afrikan Student Union, the student organization responsible for commissioning the mural, was an outspoken supporter of the mural as painted by the artist with its anti-Zionist message, a position which won him the enmity of SFSU Administration, a position that the administration has not forgotten.

Clearly, Quddus does not belong in prison, but the power structure of the United States would rather see African people in prison than in school. This it has made quite clear. Quddus' imprisonment sent a message to all of those revolutionary warriors who would dare disturb the universe. Knowing that the police, the United States' official agent of oppression, can come to a college campus to take one of us away to prison without first showing just cause, we should be reminded that we are in a precarious situation, at best. Now, moreso than ever before, revolutionaries must defend themselves and the interests of all African people.

This excessive reaction to outspoken students on the SFSU campus reveals that *we are in a race against the incarceration of African men and women. We are in a race for the education of African men and women. We are in a race for the liberation or our people.* And, as we strive to educate our people, we should be aware that during the last decade, the California Corrections Department budget has grown three times faster than the budget for education at a ratio of 14.3 percent (for corrections) to 4.8 percent (education). This trend is being replicated throughout the country. And this fact, combined with knowledge that African people are constantly being railroaded to prisons and jails regardless of innocence or guilt, should provide all of us with the incentive to fight against the intellectual holocaust occurring not only on university campuses but also on every level of public school instruction because *education* will be our primary weapon against the continuous war being waged against African people.

The United States Government has staked a significant claim not in the education of its citizens, but rather in their criminalization, an objective accounting for the fact that the prison industry is one of the fastest growing sectors of business in this country. To accommodate the tremendous influx of new prisoners expected as a result of the passage of the new crime bill, California plans to build 28 new prisons by the year 2000. Each dollar of the Federal and State budget invested in

the construction of new prisons and jails is one not invested in the improvement of society, one taken from the construction of new schools, one dollar denied to a homeless child, one dollar wagered to further destabilize the African community.

That the problems of this society are too complex and enduring to be solved by an increase in the corrections budget is a possibility ignored by the government. But what should most concern African people is this: criminologists have predicted that under Clinton's Federal Crime Bill, 58.5 *percent of all African men between the ages of eighteen and forty-four will be in jail or prison on any given day.* Thus, the objectives of the United States government and those of its representative institutions severely conflict with those of our community.

This is vividly illustrated by the fact that a student studying at a university could be removed from an institution of higher learning and transported to a prison for holding beliefs which conflict with the interests of the state. But, in fact, because Quddus is an outspoken leader, who has the courage to challenge the system (particularly the university bureaucracy which under the leadership of President Robert A. Corrigan has completely ignored student concerns), he was a marked man, targeted for elimination by SFSU Administration. Unfortunately his past prison record and parole status made him an easy mark. And, because Quddus is a man who has attempted to change the course of his future by attending the university, this case vividly illustrates the dangers to the African community inherent in the foolish penal solutions to society's problems as offered by the Clintons, Wilsons, and Corrigans of this country. And, contrary to common misconceptions, though universities have historically been centers for political activism, conscious; principled students who hold "radical" political views, students like Quddus, actually place themselves in jeopardy when they oppose the system, while complacent assimilationism and acceptance yields patronage.

When looking at Quddus case, we must keep these three things in mind: 1) the historically politically charged atmosphere of San Francisco State University; 2) the growing tide of conservatism of society in general; and 3) the persistent attempt of the U.S. government to deny its "citizens'" true political freedom. And, we must realize that ultimate responsibility for the predicament of African men now in prison lies not only with the United States government , but also with the institutions protecting its interests.

It is to be hoped that no one sincerely believes that it is simply coincidental that all of our great, non-reformist leaders have spent time in prison, whether on the continent or abroad in captive lands such as the United States: Patrice Lumumba, Touissant L'Ouverture, Kwame Nkrumah. As Africans in this country, we must recognize that we are living in a police state. And, because of this, we may, at any time, be picked up without justification and placed in prison. Particularly if we hold revolutionary views, if we do not go along with the American program, in its attempts to pacify us, we run the risk of being incarcerated.

It is deplorable that campus politics have threatened Quddus, a charismatic person, destined to play an important role in the struggle of African people for liberation. And, that someone who has accomplished as much as Quddus could be imprisoned and labeled a "criminal" presents just one more manifestation of the

contemptible practices of the United States government and its universities and its criminal justice system.

This has been the prevailing pattern for dealing with African leaders. This is why Geronimo ji Jaga is still in prison, though there is ample evidence that he did not commit the crime of which he was convicted. Of course, he is not really in prison for the reasons cited in the prosecution's case against him, nor in the parole board's review records. Geronimo ji Jaga is in prison because his political views are at variance with those of the United States government. Similarly, Mumia Abu-Jamal is on death row although eyewitnesses attest to his innocence, although the ballistic reports did not reveal that his gun fired the shot which fatally wounded the Philadelphia police officer of whose murder he has been accused. Likewise, Assata Shakur is presently in exile due to FBI treachery. Only naiveté would allow us to believe that such instances of patently racist charges leveled against African leaders (a method of containment), would not extend to the halls of higher education institutions. For, it is under this banner of racist attacks against African people that Quddus has been re-incarcerated.

All Statistics were provided by the Erskine Johnson Defense Committee.

San Quentin

Tunde Martins

I was born in Washington, D.C. in 1963, but I grew up in Nigeria. From 1988 until 1990, I worked for United Airlines as an aircraft mechanic. At that point in my life, I believed that we lived in a society where meritocracy was the order of the day. However, after experiencing what white racism was designed to protect, it did not take me long to realize that in a white supremacy system such as exists in this country, white people achieve upward mobility by virtue of their skin color. It also became obvious that white people would go to any limit to get rid of any Black person who dares to challenge the status quo.

Because I dared to challenge why management at my company was committed to making sure that white mechanics did all of the most important repairs on the aircraft, while Black mechanics were relegated to removing and installing screws and removing debris from cargo compartments as if they were janitors, I was terminated. The company's practices were designed to get rid of Black people by making the job so monotonous that you would have to quit. At the same time, the company put itself in a position where it could refuse to promote you, because you did not demonstrate that you were capable of doing the important repairs.

In a white supremacy system, white people are members of an extended family, and they act as such when their victim is Black. For example, after my termination, I found out that I could not collect unemployment benefits, because the company had sent a letter to the unemployment office saying that I was terminated for "cause." And, because I was enrolled as a full-time student at San Francisco State University in 1992, I could not get welfare benefits. Next, I was denied financial aid at SFSU because I made "too much money" in 1990.

It was at this point that I decided to rob a bank.

SAN QUENTIN AND ITS ROUTINES

The first housing unit I was assigned to was the West Block which had a total capacity of 1,025 inmates. Each two-man cell is equipped with a double-decker bed, two storage spaces, a toilet, and a water fountain. The cell is nine by four feet, so there was no room for both occupants to move around at the same time, especially considering all the funishings.

There is a distinct difference between the cells at San Quentin and those at the county jail. At the San Bruno jail, for example, the cells usually face each other, so the inmates can communicate with other inmates across from them. At San Quentin, the only thing facing each cell is a big, red sign that reads, "WARNING: No warning shots fired in this unit." The message is clear: unlike the county jails, where deputies run around trying to break off fights, the officers at San Quentin are on orders to shoot.

About twelve feet from the cells is a walkway designed for the officer who carried what appeared to be an M16 rifle and a pistol. There is no linkage between the walkway and the unit housing the inmates, though they're all in the same building. The inmates' housing unit is a five story building with another structure built all the way around the building. There are two walkways built in such a fashion to allow the officers to see into every cell and shoot if necessary. One of the walkways is located on the same level as the third floor of the facility, and the other is located on the fifth floor.

During my first weeks at West Block, I noticed that nobody fist fights. The reason is obvious: one way or another, you're going to end up dead or near-dead. According to the old-timers, rather than fist fight, inmates settled their differences by stabbing each other to death. Although the attitude to fighting in prison was "kill or get killed," during my first three weeks at San Quentin, I did see a fist fight in chow hall which seemed to be the only place where, though there is a gun tower, there is never a guard.

After I had gotten to the table with my food, and as soon as I began to eat, I saw one inmate get up and walk very briskly over to another, then punches began to fly in the air. Everyone at my table knew something was going to happen because nobody is allowed to get up once they are seated in the chow hall. Anyway, the officer who observed the fight immediately began to blow her whistle, and before I knew it the chow hall was flooded by other officers and the medical personnel. The reason for the medical personnel is that they always expect the worst. Though the eating utensils at San Quentin are made out of plastic, no one could eat with anything that resembled a plastic knife. At the county jails, the medical staff usually wait for the deputies to bring any inmate injured in a fight to the infirmary. But San Quentin is not a jail, it is a prison and everything is different.

The differences at San Quentin Prison are not limited to its cells and how the prison is run, they include what happens to each inmate's bodily functions which are altered in ways that most people would never imagine. The average person on the streets never has to worry about certain things like using the restroom. Most people use the restroom because nature calls. However, in prison where two men share a nine by four feet space, it is not enough that nature calls. One has to go

through certain rituals because of the confinement of space. While the average person on the streets uses the restroom in private, in prison, there is no privacy, so a simple thing like urinating can turn into an ordeal.

I remember jumping out of bed on many occasions in a rush to urinate only to realize that I couldn't because my cellmate's head was just a foot away. Being unable to use the restroom was never a false alarm, especially since I was so uncomfortable. I learned from an old-timer that the cure for a "false alarm," is to flush the toilet. The noise from the toilet creates a distraction, so that you aren't as self-conscious, while the flushing water induces you to urinate. And, when constipation was a problem, as it usually was for the reason mentioned earlier, I was told that four cups of hot water —not coffee— was a guaranteed relief. Although it was hard to drink four cups of hot water, as long as I got relief, I didn't care if it was a scientific or psychological remedy.

Three times a week, we were marched to the shower. People of the same color take showers with their group, with the gun tower looming above. Again, there was no privacy. Everyone showered in an open space.

Clothing was exchanged once a week. Each inmate was issued three pairs of underwear and two bed sheets. Our orange jumpsuits were exchanged during yard week which was the only opportunity inmates at the West Block had to speak to their friends and exchange ideas. Yard was once, sometimes twice, a week.

Ordinarily, we were on a twenty-four hour lockdown. The only times we came out of the cell were to eat breakfast and dinner. Lunch was handed out during breakfast, and so it was eaten in the cell where we spent an overwhelming majority of our time. Breakfast was usually around 6:30 in the morning and we returned to be locked up again after breakfast until about 5:30 p.m. for dinner. After dinner, everyone was back on lockdown until the next morning.

Mail call was usually between 4 p.m. and 5 p.m. Mail call was the high point or the low point for most inmates, because, for those who get mail, it usually meant someone still cared. When I didn't get mail, all I could do was hope for the next day. When I did get mail, I read it over and over again, trying to capture everything the writer was saying. The mail was my only connection to the outside world, so I loved to read what everyone had to say no matter how unimportant they thought it was.

Most Black inmates felt trapped, not only in prison, but in this country as well. In fact, I'm of the belief that most of the Black population in this country feel trapped. Most have never been outside of the u.s. Though a handful would argue about how ameriKKKa is the greatest country in the world, they have never been anywhere but the u.s. And the only image of the world they've ever seen is on the television.

CHRISTMAS IN PRISON

With isolation comes creativity.

Inmates at San Quentin did things similar to those at county jail. It was not uncommon for the inmates to make noises like the animals on the *National Geographic* television program while locked up in their cells. In fact, *National*

Geographic was our favorite program when I was at the county jail. I think we watched the program because in our subconscious minds we envied those animals out in the wild, in their natural state.

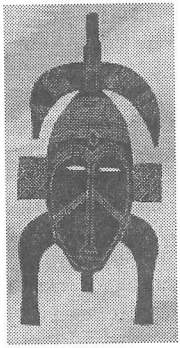
Locked up in cells for twenty-four hours a day, human beings are bound to look for ways to entertain themselves. It wasn't exactly uncommon to hear cricket sounds coming from one of the cells late at night. Of course, the sounds were made by humans. Nor was it uncommon to carry on a conversation with someone on the first floor, while you were locked up in your cell on the fourth floor. Every once in a while, when things would get a little quiet, one person would say, "My name is so and so and I don't give a fuck!" Before long, another inmate would say, "Oh, really? Well, my name is so and so and I don't give a fuck either!" Since there are hundreds of inmates in each housing unit, the "I don't give a fuck" theme would go on for about 20 minutes, with everyone banging their cell doors on the bar. Whenever the bar is moved, the cell doors would either open or close. Once everything was quiet again, some inmates might begin to sing while others cheered them on. What is there to lose? Nothing. So why not sing? They sang as a way to keep their sanity. I guess one could draw a connection between inmates who sang in their cells and slaves who worked for hours in the fields but sang to keep their sanity. While the singing was going on, other inmates would busy themselves on the tier showing pictures of their girlfriends to their friends, or trading one object for another. Magazines were frequently traded because they gave us an opportunity to see things beyond the prison wall, specifically colors other than the color of the prison wall and the guard uniforms.

On the 21st of December, 1992, the San Quentin Choir came to the West Block to sing Christmas songs: "We Wish You a Merry Christmas," "Silent Night," and the rest of the Christmas songs. Picture this if you can: all of the inmates were locked up in their cells in this five story building, and the choir is on the ground floor—where it's safer. Anyone above the third floor of the building couldn't see the singers, but could hear them. On each side of the building there were 525 inmates, each with his own personality. Only a few days before Christmas, each inmate locked up in the hell of San Quentin was stressing about something. Some were stressing because they were going to spend Christmas in prison. Other inmates were worried that their wives were going to leave them. Others were worried about how much time they would have to spend in prison. Anyway, the choir began to sing and pretty soon someone yelled out, "Get the fuck outta here!" between songs. Before long, another inmate yelled out, "Eat a bowl of shit!" It seemed as though a hundred inmates were just waiting for someone to say what they were thinking. Pretty soon the other hundred must have joined in, making sure they said something between songs or between phrases. Some inmates not only yelled, but also threw trash at the singers. Others simply clapped at the end of each song.

It's easy to say that inmates are a bunch of animals, but what would you do if you were locked up with another inmate twenty-four hours a day in a cell that's smaller than your bathroom? When dealing with people, you never know what to expect. Imagine being locked up in a cell with an individual who is the exact

opposite of you, and you can't escape him. He talks about his case, talks about his woman, talks about drugs, and what he's gonna do when he gets out. And then he smokes like a chimney and you don't smoke. What's more, you don't even feel like listening to his loud mouth and you couldn't care less what's going on in his life because you're too busy thinking about your life, and you don't feel like listening to a goddamn thing. You just want to lie in your bed and think for a minute or write a letter, either way you need to think, but blabber mouth won't stop talking to you. And even when he promises to take a break for a minute, he always manages to find a reason to break the silence. What do you do? You can't unlock your cell and walk away from him. The only thing you can do is stress. To top it off, some choir wants to sing "We Wish You a Merry Christmas," when you know you're not going to have a merry Christmas until you gain your freedom, and they know it too, but that doesn't stop them from singing it. It's like being given a moving violation ticket for 100 dollars and then being told to have a nice day by the traffic cop who wrote the ticket. Personally, I could have done without the Christmas chorus.

[This is an excerpt from an unpublished book manuscript written in prison.]



A STATEMENT

Erskine Johnson

I sit here writing this not asking for anyone's pity, but rather to say that it could very well be you or someone that is dearest to your heart in my position. There are many people in jail that profess their innocence. In fact, very few will say that they are not innocent. But I am here to tell you that just because one is here on death row does not necessarily mean that one is guilty of a crime. I say this with conviction because I am not guilty, yet I sit here on death row —a victim of an unjust system. I refer to a justice system that metes out justice based on many things which often have nothing to do with the guilt or innocence of the accused.

I have always thought of myself as creative, visionary and some say, thought-provoking. One day in December of 1987, while in a state of captive solitude, I picked up a pencil and started doodling. I amazed myself with my abilities to formulate thoughts and manifest them through drawing. At that moment I realized I had found something or rather a way to express my thoughts and feelings, which I previously had no way to articulate.

When I first picked up a paint brush and started to paint, I was really mad. I'm not sure if it was with myself or with the finished product or both. I tried and tried again and the results were the same with a deep sense of failure. I was not able to comprehend the difference between the two mediums. So my transition from pencil to paint was a rocky one.

But I refused to be conquered by my frustration. I knew that nothing would beat my failure, except overcoming my shortcomings. Many days I longed for the tutoring of someone who was accomplished in that upon which I had embarked. But to no avail. I had to go it alone. And I'm happy that I stuck it out, because I can truly say that painting has set afire the latent embers of intense creativity within my very soul, with the ultimate objective being to evoke some kind of a thought process of the plight of a people.

Erskine Johnson *is on death row at a maximum security prison in Nashville, Tennessee.*

30 YEARS AGO IT WAS DOGS!
TODAY IT IS DOPE?

It is no accident that African Americans make up 48% of the million plus people in jail across this country. Yet African Americans make up only twelve percent of the 250 million people in our country. The ramifications of the politics of the death penalty is a travesty being perpetrated in the faces of all who stand for the justice that they themselves expect to receive if ever the need should arise.

There are overzealous, unscrupulous prosecutors that will go to any lengths in their quest to acquire political power. They don't care about justice — except for those who can buy it. They will forsake everything that this system is built upon. The only people that are on death row anywhere in this country are poor people. We are the downtrodden and forgotten. We are the ones who got caught in the lottery system of who gets the death penalty.

I'm told that traditionally the scales of justice are depicted as awaiting the weight of evidence. A preponderance on one side or the other will tip them to a just conclusion. Unfortunately, this version of justice is rarely found in the courts today. Since the inception of the system as we know it, the symbol has been a blindfolded woman with a tilted scale. I submit to you that if, in fact, justice is blind, then maybe she should take the blinders off her eyes so that she can see that her scales are tipped.

I could go on and on pointing out many, many atrocities being perpetrated under the guise of justice, particularly to African Americans, but by no means to them exclusively. I would suggest to you, that as surely as I sit here, unjustly accused and convicted, it could one day be you or someone that you know and love. Don't just take my word for it. Take a closer look at how the system works and more importantly who it works for.

In my paintings I try to convey the spirit behind the ideas that I have articulated here. I try to demonstrate some of me in all my paintings. But also, I must add I am literally painting for my life. There is no way that I or anyone else can defend themselves against the charge of capital murder without having thousands of dollars. Through the sale of my paintings and prints of my work, I try to raise the funds I need for my defense. ◆

Left: Stained Flag, A Self Portrait

AN INNOCENT MAN

Erskine Johnson Defense Committee

In the early morning of Sunday, October 2, 1983, a white store owner was shot and killed by a black man during an armed robbery of a Memphis supermarket.

Nearly 400 miles away, in St. Louis, Missouri, Erskine Johnson joined family and friends in celebrating his mother's birthday. The party, planned by Erskine and his brothers and sisters, lasted into the early morning hours of Sunday, October 2nd.

More than two years later, in December of 1985, Erskine was tried, wrongly convicted, and sentenced to death for the unsolved Memphis homicide. He had never even been in the state of Tennessee before he went to Memphis to stand trial.

An all-white jury dismissed the compelling testimony of more than six alibi witnesses who all claimed that Erskine was at his mother's birthday party. Several witnesses also testified to seeing him in St. Louis later Sunday morning. A man who was helping Erskine with some yard work testified that he saw Erskine at his St. Louis home at the very hour the crime was taking place in Memphis.

Consider this additional evidence:

More than ten eyewitnesses were in the store at the time of the shooting. None of them could positively identify Erskine. One eyewitness in very close range to the shooting was called to the stand by the prosecution. He testified that he did NOT recognize Erskine as the man he had seen shoot the store owner.

The prosecution's case rested on the questionable testimony of two individuals, neither of whom was at the scene of the crime. Both offered largely circumstantial evidence and each had made previous statements which differed from their testimony on the stand.

HOW COULD THIS HAPPEN?

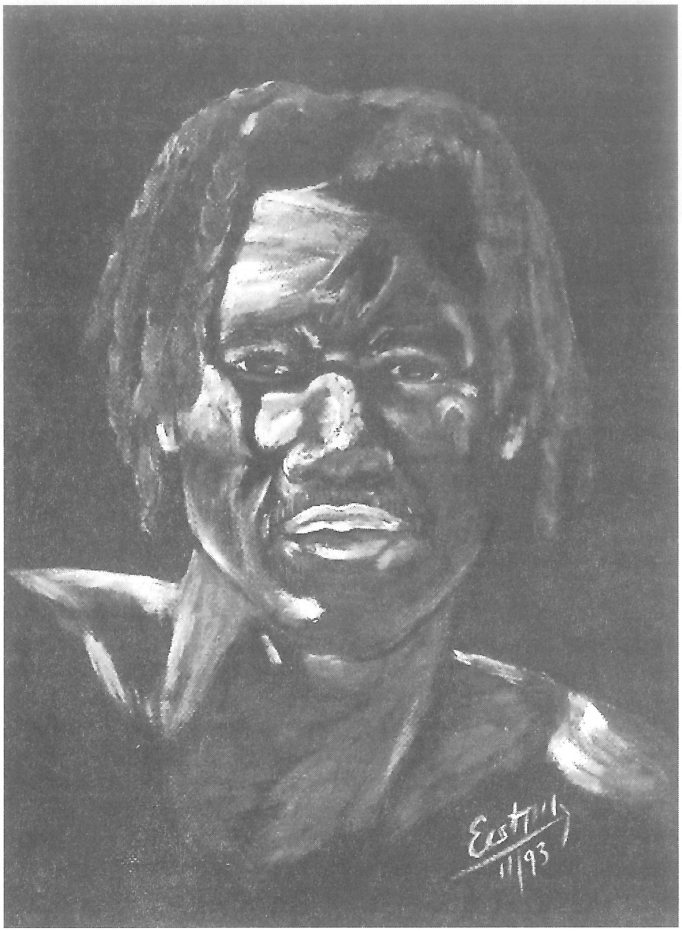
Erskine is but one of many innocent people who have faced execution or years in prison for crimes they did not commit. Like the large

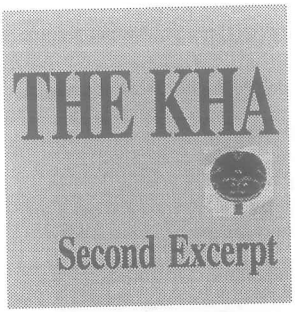
majority of these victims of injustice, Erskine did not have the funds to ensure a thorough defense at the time of his trial. Erskine's trial attorney came on to the case only seven weeks before trial and had virtually no resources to do investigative work.

Erskine was tried in Memphis, a city with an African American population of greater than 50 percent. Yet he ended up with an all white jury. The prosecution successfully excluded every potential black juror from service.

For more information contact: Erskine Johnson Defense Committee, P.O. Box 68094, Nashville, Tennessee 37206, phone: (615) 228-4010.

Below: Self Portrait by Erskine Johnson





Karen Johnson

scene eleven: Facing "The Man"

The living face of the Sphinx returns to The Man as the son's legs wobble with the weight of responsibility. In respect, then, the son is pulled out of the thick-of-it onto a rotted root. This root is the back of a man decaying face-down in the mud. This root is disgusted by the earth that nourishes The Tree, and this limb *refuses* to keep under ground. It is an arthritic finger that knuckled under the pressure of *sterility's* stigma of what it means to have "dirt on your hands." This root is a nigger of The Tree. The son tries to get off it, back into the mud, repelled by its decomposition, and not wanting to rise on another's misfortune, but The Man *holds* him fast, His eyes demanding, "Don't worry about him. He's dead!"

The Tree pulls The Man, pulls back into itself as The Man pulls the son out of the mud. Other familiar hands reach out and down to pull him higher and higher up the tree. He grows smaller and smaller in gratitude.

(song) *Song of the Mud Pi*

Thud.
It's mud that broke my fall,
And all that I can see
Is murky darkness stuck to me.
I feel a root
Eyes follow suit
To a humongous tree
Of people bound eternally:
The Tree of humane history.

Entwined in each other's morality,
The unbending principality
And unending commonality:
Philosophy made manifest,
The phallus of souls that passed the test.
A belief in the common good,
Makes the multitudes' immortal wood
Strong as the will to be free.
This is the fiber of The Tree.

At its base The Prime of Man
Pulls out from The Tree,
Holds out his hand,
And reaching down
He lifts me from the giving ground.
He freezes me.
He makes me see
A cold responsibility:
The weight of masculinity:
First the belief that each can climb
As high as one imagines time
And places where one wants to be.
This is the fiber of The Tree.

Immaturity will not suffice.
Growing up bares a painful price.
The strength to resist the gravity
Of staying down, The Will To Be,
Each joyous possibility,
Each test
Makes "would" manifest.

The outward power of this planet
Is stronger than a world of granite!

The Prime of Man shares his song
Of freedom's test that made Him strong.
My test: To *dare* to want to be
In spite of monsters, guns and chains,
The *action* that I takes remains
To testify to Liberty
If I am worthy to join The Tree.

I look down
For solid ground
And found I stand
On top of some forgotten man.
Repulsed, I try to step back in the slime,
But He won't let me go back in time.
The Ancient One says "Come ahead.
Don't waste feelings on the dead!
Gratitude has set you free.
It's time
To climb
The family tree."

scene twelve: Bottoms Up

Hands are always there to lift him, he accepts the invitations to exchange and carry on their dreams. With feets of magic, he never steps on any one.

Higher and beyond he spirals. His smallness, his lightness, aids his ascent to the cold confusion of the clouds: big white fluffy buttocks that reign down shadow. Here, the Blackpeople are as tall as silence, as *tall* as he is small. The helping hands are fewer and farther between. The care becomes rare and the weather *treacherous*. At the highness of the tree, treachery finds a fault even in the healing of night and fills the fault with bright, white, destructive light. The lightning strikes the tree and splits the trunk to members, its flashes x-ray the limbs to skeletons, slashing the bark.

The sky is black ice striped by rain and cracked by lightning. The wind winds, howling, spiraling up the tree after the child, snapping at his heels. Dizzied and disoriented, he can't tell the difference between the limb and the shadow. The gravity of illumination finds a fault in him. It deepens the crack of self-doubt that grew with the seed of envy, and fills the crack with fear. He feels forsaken, and has mistaken this cross-examination for lack-of-support. The gratitude that lifted him strains as he doesn't believe Black can survive a White streak. But The Tree, armed with branches that extend their hopes, battle from faith in guarding and regarding their posts as positive memories. He looks down too far. It is too much. He feels unworthy. He remembers the soulless man face-down in the mud and now knows he got there by letting go of hope.

The lashing wind threatens to oblige the battered child in his wish for a final blow to dash him into his dead self somewhere out of sight in the numbing Be Low.

(song) *Cross Section*

The rumors that were whispered,
Here the silence screams,
And branches battle shadows
To defend their dreams.

Where Black is cut
To pieces,
Can't hold myself together.
White cuts me down,
Black brought me up
But *lead* me to this weather.

The White says, "Fall
To soulless ease,
To struggle is disgrace.
The gravity will grant you peace
And hide your shameful face."

But I am born of Honor,
Descendant from above.
My Father's name is Wisdom and
My Mother's name is Love
And I have Strength-of-Purpose.
That's what my climb's about!
As I'm cut off, I will hold On
And trustingly *Black*out.

scene thirteen: Hold On

He teeters, he trusts, then, in the vacuum silence of a Blackout, a sweet-moaning hum rumbles from the place where the branches join. The hands of two strong, soft, black limbs grab him, hold him, and in the space between the arms, there radiates a blinding, yellow-orange, fragrant heat that pierces the storm. The fright-of-the-night recedes in respect for the ferocity of a Mother protecting Her child and defeating Her enemy with the luster of Love. He is drawn to the junction, but she pauses in pulling him to Her bosom. To implore further protection, he looks to Her, to where a face would be, and, instead, finds an oval of radiant Blackness, with an aura of violet light. It screens the wonder of Women.

scene fourteen: The Unblocked Goddess

There is a large pedestal: The Drum. A large auction block almost obscures it. Black children, women and men move in a line toward the block in the pace measured by grace, until their beat is broken by the erratic tempo of White children, women and men marching to the beat of whips on the backs of Blacks who must line-up for them.

A Black Goddess descends upon the Drum. The Black women turn to the Goddess and regain their posture, Black girls turn toward their mothers and regain theirs. The Black men turn to their women and know they are respected because the Goddess is reflected. They stand taller, the drum beat builds and the dignity collects.

The Whites measure the Blacks by their own yardsticks; the men with their whips and guns, the women with their parasols through the bars of a parallel prison. The Blacks are the dark mirror of Conscience and neither physical bondage nor hateful obedience can satisfy the Whites' longing to be respected in their eyes.

The Blacks in their measure, give respect to those who give respect, and have more of it for each other than for stars-wanting-to-outshine-the-night. Black grace laughs deep inside like "Forever" confronted with a clock.

Bars manifest jealousy on both sides. The White women, where they would have a heart, have a shadow, and in their silence, demand that the Black women be disgraced. Their jealousy whispers, "Take her glory that I should wear it. Take her crown, *if* you are king. Bring her down!" Some White men strip the cloth from

Black girls and women, with guns held on the Black men and their eyes held on the Black women who are now naked beauty, though clothed in tears.

The prison of the parasol shades the lesson in beauty with contempt. A White woman whines, "What nerve they have to be so black! Break her spirit! Break her back!" A White man grabs a Black girl by the wrist and throws her down. A Black woman breaks loose from her position in line, and, taking a line of slaves with her, grabs a parasol and stabs the White woman with it. She is killed by a shot from a White man who is killed by a Black man who is killed by two White men. The pace of the whip builds while the drum beat fades.

In celebration of their victory, White women dance a slow circle around the parasol, White men do the same around the whip. In their own turn, Blacks see the Goddess, regain their posture and regain their beat.

White women sense offense at the phoenix of the black heart, and attack: "*Take* her children's loving eyes! Make them see her with *despise*!" Whites separate the Black children from their mothers and hold them fast while putting white masks on their faces, then release them. The Black children now move voluntarily to even the *whispers* of a whip. Two Black children do a ballet dance for the amusement of the Whites and the whip-weary parents become servants to their children's mask of "progress."

The repeated treading of collected pain beats the Blacks to blues. All voluptuous signs of life, all signs of spirit, must now be tucked away to hide the cruelties of the vampire, and anyone who would show their bare blackness betrays the "peace" and becomes the enemy. The negroes act-out the loss of power as though it were a virtue.

Without the wind to carry its thoughts, without the sun to kiss its face, the spirit turns against itself. The white masks can only face a White Goddess. As the vacuum in the silence of the drum pulls them, Black children push their parents around as Whites do, back into the "pedestal of shame." It topples in slow motion, and so, the Black Goddess ascends. One Black child sees Her, rips off his mask, pulling negroes away from the falling grace. He tries to steady the drum but its weight is too great for a solitary soul.

The drum succumbs to the gravity of foresakeness and sinks. As the Goddess fades he screams, holding up his arms to the loss. His cry over spilled, unearthly milk draws no earthly solace from the long-lost. His cries repel the plain folks and the leper-child grieves alone in the sudden and violent sense of a future without dignity. His cryonics begin to freeze his heart from red to blue. Then, the Goddess re-enters, dressed as a Black Woman servant, walks to the child, holds and comforts him, with the strength and gentleness of her arms, and the unmasked *warmth* of her timing.

scene fifteen: B-rested

He is back in the tree, in the arms of "Lucy." The seasoned child is screaming, crying, trembling. The violet aura that surrounded Her face before, now beams through Her black skin. It penetrates and mends his fault. *Now* he is pulled to the bosom of the tree as She hums the hum that Women hum when they have their

hands in water, washing dishes, washing clothes, washing woes, caring about the burdens of children and men, making magic, making *soothe* in the suds. He surrenders, wrapped in Her heart. As he sleeps in the cream of his dream she says, "And now, my love, the *rest* is up to you."

(song) *Strong Armed*

Strong arms reaching down to me,
Helped me climb the family tree.
Every face recalls a place of trial
And triumphant gain.
Some lost children in the reign
Of ghoulish jackals
Who put shackles
On our heart, our mind, our hand.
Raped the body and the land,
But the triumph of the tree
Is it still holds Humanity!

Strong arms cared enough to fight,
Saved my soul from howls at night.

She makes me look in Her face
And I recall that fearful place
She cleared for me
With bravery.

The wounds She bared were very deep
And now She cradles me to sleep.

"Always for you, I will undo
The pain that tears apart.
My love is glue, you will be new.
Take comfort in my heart.
Rest, now. You've got more to climb.
You'll return to me in time."

Warm and gentle, strong and black,
I'll return to pay Love back.
Warm and gentle, strong and black,
I'll return to pay Love back.

Forthcoming from Julian Richardson and Associates, San Francisco, CA.

THE CRIME BILL

Evelyn Williams

The Crime Bill (1994) is a 30-billion-dollar package. It has 10 billion for state and local law enforcement, 9.9 billion for prisons, 6.9 billion for crime prevention and 2.6 billion for federal law enforcement. There are 60 new categories that have been inserted into the bill.

How many more crimes will have to be added to the list of those now punishable by the death penalty? How many more jails, juvenile training schools and boot camps will have to be built? How many more mandatory prison sentences will have to be imposed?

How much younger than thirteen years of age will juvenile offenders have to be in order to qualify for the death penalty? How many more billions of dollars will have to be spent on prison construction and civilian containment? How many already eroded constitutional rights will have to be lost before the society becomes serious about reducing crime?

What will it take to respond in a realistic fashion to the growing epidemic of violence that penetrates even the walled communities of the middle-class as they flee further and further from the inner cities? How long before the obvious is accepted and identified before crime can be eliminated? The causes of crime must be eliminated.

Society's approach to crime has made a historical full circle in the proposed crime bill. In biblical days, the response to a criminal act was excessively punitive. The hand that stole a piece of bread was severed, and if a life was taken, regardless of the reasons, the offender was publicly hanged without a trial. Lynch mobs succeeded American West vigilante justice until the understanding took hold that society would be best served by rehabilitating jailed offenders in order to deflect the recidivism spawned by punitive and degrading conditions of incarceration that have been imposed on those who would eventually re-emerge into society. But genuine rehabilitation was never tried, and so now we are back to re-inventing the original approach.

There are crime bills of the past that have attempted to curtail specific criminal acts by widening the federal government police power to

intercept crime, to expand categories of federal crime, and to intensify punishment. In that effort RICO became the defining legislation enacted to apprehend the organized criminal. It eventually became a catch-all net that ensnared unorganized and organized political dissenters.

The new bill, like RICO, also identifies new categories of people to be labeled as criminals, to be sandwiched into already overcrowded penal facilities and to provide bodies for jails yet to be constructed. They are the youngest, the poorest, the most disenfranchised, and the least vocal among us.

Granted, there are statistics that reflect an increase in certain categories of criminal behavior as well as society's fear of that growth. But statistics do not explain why African Americans are disproportionately arrested, incarcerated for lesser crimes, denied parole and probation, serve longer prison sentences, and are executed more frequently than whites. Statistics do not explain the linkage between the introduction of cheap addictive drugs like crack cocaine into Black communities across the country, and the accelerated commission of crime, or the pathological conditions in poor Black communities that provide a natural breeding ground for the introduction of drugs. Nor do statistics explain the failure of governmental intervention to prevent drugs from entering this country with the obvious immunity from prosecution that the drug kingpins and their respectable, highly placed business and government facilitators enjoy. Quantitative analysis cannot describe the qualitative reality, and when it portends to do so, it's because it serves a rationale that must stifle questions and blanket criticism.

As long as legislators continue to ignore the underlying causes of crime and cosmetize responses to a critical problem in the form of crime bill legislation, that legislation will fail. It is time that we understand that legislators only mandate crime control when the seeds of crime blossom full blown in the backyards of those who planted them elsewhere. It is time to reject another crime bill panacea and stop ignoring the obvious. It is time to get real.

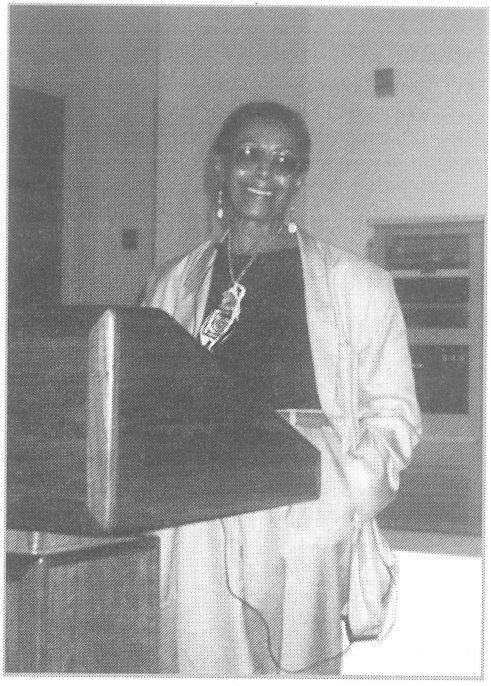


Photo: Evelyn Williams

ANOTHER CRIME BILL

Dr. Mutulu Shakur

Mutulu Shakur *co-founded in 1978 the Black Acupuncture Advisory Association where he served as co-director from 1978 to 1982. Dr. Shakur's primary work as a political activist was as a co-founder, leader, worker and security personnel in the Provisional Government of the Republic of New Afrika. The Provisional Government founded in 1968, sought to establish an independent New Afrikan (Black) Republic in four Southern states. Dr. Shakur was the co-founder and director of the National Task Force for COINTELPRO Litigation and Research that exposed and investigated suits against the FBI and other American law agencies for their unlawful suppression of political dissidents in the U.S. Dr. Shakur was indicted in 1981 and convicted of conspiracy to overthrow the U.S. government for which he received a sixty year sentence. Shakur says of the indictment, " I was accused of masterminding the liberation of Assata Shakur." He is presently held at a supermax prison in Florence, Colorado.*

The New Crime Bill poses fundamental issues for Black/New Afrikans in America. We must come to terms and face what seems to be self-destruction in the behavior of our young generation, which political parties and government claim to be the basis for another Crime Bill. We must decide whether the traumatic behavior which is so self-destructive and anti-community is a direct result of our failure as a Black Nation within America to give proper guidance to our youth; or is it the manifestation of the lack of power, true power, (political, economic, community, etc.) which stems from the fundamental miscalculation of the anticipated benefits of integration in addition to the adoption of the philosophy of rugged individualism? Or, are we the tools and experiments of aversion behavior modification and political manipulation? From these conclusions we must determine the short and longrange goals of the manipulators and implement counter measures.

The Republican Party in the 1994 elections used the battle cry "It is time for a change and down with big government," but the loudest of all cries was "Crime in America!" The Democratic Party used the passing of the Crime Bill as an acid test for Bill Clinton, and Clinton, according to Laura Lee of the A.C.L.U., "found it politically attractive." As Governor of Arkansas, he put to death mentally retarded offenders making his position on the death penalty quite clear.

What should be of tantamount concern is the process for voting on the Crime Bill by "our" elected representatives under the previous Democratic Congress. The Congressional Black Caucus (C. B. C.) was quite powerful, and it appeared that it was on the road to an independent agenda; focusing on the needs and interests of Blacks in America as they saw it and a philosophy of positive change and consolidation in spite of the limits of the electoral politics in a two party system. The Leadership Summit, Haiti, and

Photo Facing Page: Mutulu Shakur and Sekou Odinga

South Afrika were examples of positive endeavors.

However, the passing of the Crime Bill depended upon the C.B.C. This bill added more fascist laws, constitutional violations, double standards and unjust racial components that will affect us way past the twenty-first century. Why the C.B.C. in concert with the ten Black mayors equivocated on racial justice protection and were shortsighted will be for history to determine. I find myself agreeing totally with Jesse Jackson in dismissing this Crime Bill as a little kool-aid to go along with cyanide bringing to mind Jim Jones who led so many Black/New Afrikans to commit suicide in Guyana.

Even though each party quotes statistics to substantiate their position, questions as to whether crime is in fact increasing or stabilizing persist. We must keep in mind that the pollsters are contracted in the self-serving interest of a specific group, party, with a self-serving agenda in mind. Remember the statistics of parole ushered out for the Willie Horton ad used by the Republicans against the Democrats? What we do know is that 93 percent of the murders committed by Black are on other Blacks. Also only 27 percent of Blacks incarcerated are incarcerated for violent crime, and we also know that we make up 50 percent of the federal prison population. In view of the these facts are we to believe that the parties that have demonstrated disrespect for our human rights and the plight we have suffered under their forefathers are suddenly concerned about what we do to each other? Not likely.

The questions are why are we so divided over the methods and tactics with which to confront and resolve this phenomenon; how did we get to this level of despair and self-destruction, and does it affect us all?

The reason we as a people and class are in this predicament and will remain stagnated is that we continue to retreat from the demand for real power. We must look clearly at the practicality of getting all our rights from a politically monopolized legislature, a structure that confirmed Clarence Thomas as a token Supreme Court Justice and at the same time forcing a retreat of support for Lani Guinier.

It is a known fact that for years Black men have been the victims of an unjust criminal justice system. At each presidential election a new program is enacted: "Weed and Seed," "Violence Initiative," and on and on. Right now, prior to passing this New Crime Bill, 23 percent of all Black Men eighteen to twenty-nine years of age are in prison, in some type of jail, on probation or parole. When Black males account for 6 percent of the U.S. population and 50 percent of the U.S. prison population, it's quite clear that at least on this point the Congressional Black Caucus' first instinct to hold out for a racial justice provision was morally and politically correct especially with respect to concerns about the potential of the genocide effect through low birth rates.

The Black mayoral pressure on the C.B.C. was treacherous. The excuse that we needed crime prevention money won't hold water. The Republicans wouldn't support the bill if it contained the death penalty quota or racial justice provision. They cried about the pork in the budget. When the Republican Party won the 94 elections, they wanted to revisit the Crime Bill, look at the gun laws, and revisit the "pork" issue; the same pork that the Black mayors wanted so badly to eat that

they sold out their next generation. This Crime Bill did not rest solely on the death penalty provision and counter crime measures but also on the erosion of constitutional rights, putting more power in the hands of a police force and judicial system and government who have and will abuse these powers.

This type of leadership from the mayors and the C.B.C. gives our youth reason to disrespect them. Any leadership not willing to stand up for the people truly earn disrespect. When our youth see leaders unwilling to fight to achieve as a people or a class in comparison to what other groups and other ethnics achieve, they pursue their own way: "Look out for number one" or rugged individualism in pursuit of economic empowerment. This analysis should not be viewed as a tolerance for the behavior of some of our youth, but we must get to the core of the problem. If you won't fight your enemy, how can we expect you to fight for the survival of your sons and daughters?

The bankruptcy of the economy and the nihilism of popular culture are the sources of distorted values and internalized violence present in ghetto youth today. The entire society is ensnared in the worship of the material culture. Manhood is defined in terms of how much you have, not how will you care for family, community, and nation. The figures show that Black people account for 12 percent of the U.S. population yet account for 48 percent of the homeless in the U.S. These are the stark realities. It is not something you can hide from our children who come face to face with survival everyday.

What is the mind set of the street culture? Where are the civic lessons? Many would rather gamble with death! I grew up when the so-called ex-con represented on some level a stabilizing force. In terms of how illegal activities were carried out in the community, the ex-con was somebody's uncle, cousin, or brother. They were a part of what we had then: the extended family. He or she would be willing to act in the best interest of our community and extended family. This analysis is in no way an attempt to glorify the lumpen. But if the truth be told, coming from a single parent family myself, many of the so-called ex-cons served as my mentors and guided me into manhood. For sure it is a fact that the killing of children, rape, robbery of the elderly, and the inclusion of civilians not involved in the "life" as targets was not the way of gangsters of the past. Violation of these codes of conduct would have been met with swift community justice. Not by the clergy or police, but by the prisoners behind the walls once the violators were within reach, or by the controller of the underground economy. For instance, the number bankers in our community in the '50s, '60s and part of the '70s might play this role and would mete out punishment based on a sense of principle.

So we ask what happened? What happened was that a political realization took place among the underclass. Prison began to produce revolutionaries and visionaries who could articulate, analyze, and move forward to organize against that oppression. Many of our leaders and the rank and file of our various struggles have been influenced by their experience in jail or by mentors who did time. The mentors were able to articulate that rehabilitation was a myth. They understood the origin of the indeterminate sentence by which a prisoner could serve one day to life depending on his performance and the extent of his "rehabilitation." Psycho-

therapy was the treatment and the objective of the treatment was to punish political beliefs which did not conform to popular views. Failure to respond to treatment resulted in an extension of incarceration. Out of the bowels of prison came the likes of Elijah Muhammad, Malcolm X, George Jackson, Bunchy Carter, Ahmad Evans, Eldridge Cleaver, Sekou Odinga, Dhoruba bin Wahad, Lumumba Shakur, Albert Nuh Washington, H. Rap Brown and many other lesser known but just as important resisters. Many of the Civil Rights leaders and participants were protected and encouraged by their pilgrimage to prison. So, on two fronts the prisoner and prison were having an adverse affect on the designs of the government with respect to New Afrikans. What emerged from the depths of prison oppression was a culture of resistance and a sense of extended responsibility to the community in spite of the negative context of the underground economy and the plague of drugs.

The government understood at that point that these men and women who emerged from prison had seen through the smoke-screen of reactionary propaganda and they were having a positive impact on our culture. So prisons have become the battle ground in a war of attrition designed to reduce prisoners to a state of submission essential to their ideological conversion.

That failing, the next option in a deadly sequence is to reduce the prisoner to a state of psychological incompetence sufficient to neutralize them as self-directing antagonists. That failing, the only option left is to destroy the prisoner, preferably by making them desperate enough to destroy themselves. We can now see the results of those experiments in our neighborhoods as a self-evident truth. Tactics of war — behavior modification and low intensity warfare is the marriage of government and prison officials. Psychologist Amilcar Cabral noted: "oppression or domination of a people is only secure when the cultural life of a people is destroyed, paralyzed or at least neutralized."

Simultaneously, the distribution of drugs took on a new face and tactic. After many exhaustive analytical conversations with federal prisoners from United States Penitentiaries at Lewisburg, Lompoc, Marion, I concluded by an examination of the data that the dynamics of and more importantly the consequences of the distribution of drugs prior to the '70s in the local communities was generally handled in this manner: organized crime distribute major quantities of drugs to known local kingpins usually indigenous to the community. Although we scorned the destruction that they represented, there clearly was a method to their madness.

The Iran/Contra scandal exposed the agenda to trade drugs for guns and allowed alien immigrants from Colombian, Cuban and Middle Eastern cartels through the local businesses that they had set up in our communities to establish a distribution strategy which circumvented the indigenous kingpins and the existing territorial boundaries that had been established neighborhood by neighborhood. So battle lines were drawn, not by communities but by alien distributors who had no interest at any level in the established codes of conduct or re-investment in the community encouraging our younger generation to choose a path of self-destruction for material gains.

In the prison and on the street the designed manipulated behavior took hold. The Iran/Contra is not about guns for hostages but about guns for drugs and drugs for

genocide. Military industrial complexes work hand and hand with the prison administration and the behavior sciences. In prison violators of fundamental codes of conduct once not tolerated were given leeway. Individual materialism came before every aspect of community or the extended family. Natural leaders were shunned as well as thinkers by other prisoners for fear of retribution by the prison administration. With COINTELPRO in the streets of the larger community the people began to reject any connection with resistance. In prison leaders were isolated and put in the hole, but more importantly, there was less and less connection between the community, organizations and family.

It's no mystery. The objective of this New Crime Bill is in conjunction with low-intensity warfare and behavior modification. The goals are to establish slavery of New Afrikans in the twenty-first century. The financial conspiracy to establish prison labor for private investment preceded this Crime Bill in a trajectory strategy. The accumulation of hysteria and media manipulation set the stage for mandatory sentencing, crack law, RICCO, the federalization of gang activities and three strikes you're out.

It doesn't take a Wall Street broker to see that investments are not made for short term objectives. The idea is long range projection. They must be able to predict a steady labor force to make their investors interested. On May 12, 1994, the *Wall Street Journal* featured an article entitled, "Making Crime Pay: Triangle of Interests Creates Infrastructure To Fight Lawlessness; Cities See Jobs." The article presents an ominous plan to increase the number of people being sent to prison. They are talking about how Big Businesses like Goldman Sachs & Co., Prudential Insurance Co., Smith Barney Shearson, Inc. and Merrill Lynch & Co., Inc. are among those competing to underwrite prison construction with private tax-exempt bonds where no voter approval is required. In essence, Big Business is investing in the prison system. It was clear to them that the new Crime Bill was going to pass no matter what. The New Crime Bill was never on the ropes!

On May 19, 1994, a week after the Wall Street article was published, the Director of the Federal Prisons, Kathleen M. Hawk, and Representative Frank Wolf gave testimony to Congressional Committee, House Judiciary/Intellectual Property and Judicial Administration pleading to have inmate labor used in the private sector. The legislative proposal H.R. 703 and 4092 Amendment would authorize Federal Prison Industries (F.P.I.) to produce and sell goods in the private sector/market where these goods would otherwise be produced by foreign labor.

All of our people must take stock of what the long range effects of this Crime Bill are. The bill itself is 1000 pages long and all most of us hear about is the Death Penalty and the Pork. The devastating sections inherent in this Bill include making the parent pay for the crime of the child and the authorization of government to investigate individuals or groups who engage in First Amendment activities in support of political goals of organizations deemed "terrorist." One person's terrorist is another person's Freedom Fighter. Allah knows we need some Freedom Fighters! By supporting political prisoners and prisoners of war in America, you are fighting for the reconstruction of your community.

It is very important for our community to go to the prisons and force interaction;

investigate the many cases of prisoners in the hole for no other reason than their political ideologies or their charisma as leaders and teachers. Why are all the prisoners housed in prisons in the rural white areas? Don't Blacks know how to turn keys? Truly we can see the writing on the wall. Let us not be made fools of any longer through our own cowardice and self-destructiveness.

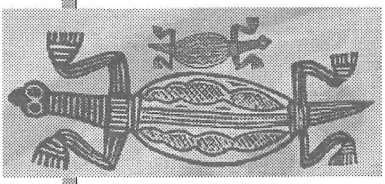
Across the country Brothers and Sisters need to petition the Congressional Black Caucus and demand that they hold hearings concerning the critical issues, to stand up and confront the Beast that wishes to devour our people so that posterity will not curse their names for all time.

Brothers and Sisters we need each other. Political prisoners in America will continue fighting for "our" human rights. However, we must understand that we are all in this together. What comes around goes around. A nation of people that won't stand for something will fall for anything.

Evelyn Williams defines "political prisoners":

" . . . someone who has been illegally incarcerated because of his or her opinions or who, having been convicted of a crime, is brutalized while in prison because of his or her opinions or who is convicted of committing a crime for political reasons. I believe that all African American prisoners are political prisoners, whether or not they label themselves as such, because of the circumstances that got them into jail as well as the harshness of sentencing applied only to them."

from *Inadmissible Evidence, p. 83*



THE CRIMINALIZATION OF POVERTY

Jalil Abdul Muntaqim

Jalil Muntaqim *has just been moved to a prison in Elmira, New York. In his own words, he is "a former Black Panther Party and Black Liberation Army member who has been in prison nearly 25 years." He is a founding member of the New Afrikan Liberation Front. While in prison, he has earned a bachelor's degree in sociology and psychology.*

THE POOR, WELFARE AND PRISONS

An anonymous poet in the 1700s wrote about crime: "The law will punish a man or woman who steals the goose from the hillside, but lets the greater robber loose who steals the hillside from the goose."[1]

When talking about "the greater robber" it seemed particularly appropriate in the midst of the biggest financial rip-off in history of this country to think about the billions of dollars the Savings & Loan criminals stole, and about how most of them have gotten away with it. I thought about the complete insanity of how this country defines crimes in society. If you steal five dollars you're a thief, but if you steal five million dollars — you're a financier.

Thirty percent of the wealth of this country is controlled by one-half of one percent of the people. Eighty percent of the wealth is controlled by ten percent of the people. I think that is a crime. In the dictionary, the word "crime" means "an act which is against the law." Crime applies particularly to an act that breaks a law that has been made for public good. Crime in one country, the dictionary continued, "may be entirely overlooked by the law in another country or may not apply at all in a different historical period."

That was interesting. What that really said was that concepts of "crime" are not eternal. The very nature of crime is sociopsychological and defined by time and place and those who have the power to make definitions, by those who write dictionaries, so to speak.

The more I thought about that and about those who write the laws, or at least define what law is, the more profound it became. I believe we all will agree that the United States is a nation of criminals. From its inception as a settler nation, exiled British criminals stole the land and lives from Native Americans and Africans. They justified their actions with making and defining the law of the land, for example defining Africans as three-fifths of a man during slavery. Hence the power to define is an awe-

some power. It is the power of propaganda. It is the ability to manipulate our ideas, to limit our agenda, to mold how we see, and to shape what we look at. It is the power to interpret the picture we see when we look at the world for the American people in general, and New Afrikans, in particular. It is the power to place the picture we see when we look at the world. It is the power to place a frame around the picture, to define where it begins and ends. It is, in fact, the power to define where our vision begins and ends, the power to create our collective consciousness.

That kind of social propaganda is not only tremendously powerful, but it is also mostly invisible. We can't fight what we don't see. Most people accept the images and definitions that we have been taught as true, neutral, self-evident, and for always; so that the power to paint the future, to define what is right and wrong, what is lawful and what is criminal, is really the power to win the battle for our minds. And to win it without ever having to fight it. Simply said, it is hard to fight an enemy who has an outpost in our minds. This indicates the need for revolutionary nationalists to develop a national agitation-propaganda mechanism. Specifically, nationalists need a single national publication and organ that represents the unified development of NAIM (The New African Independence Movement) to which each formation and organization contributes and supports its distribution.

THE SOCIAL DYNAMICS OF CRIME

Though some may question, as did Marx, the system's fairness in applying its rules, today most people don't question the basis of the system itself. That is, people don't question the relationship between those who own and those who don't. Though many people vote every four years on who governs, they never vote on and rarely question what governs. People don't challenge the legitimacy of the system, they accept it. The exception of course is when the oppressed rebel in insurrections. But usually we don't step outside of the frame around the picture. We don't disconnect the dots.

Emile Durkheim argued that crime is "normal" and necessary social behavior. "According to Durkheim, the inevitability of crime is linked to the differences (heterogeneity) within a society. Since people are so different from one another and employ such a variety of methods and forms of behavior to meet their needs, it is not surprising that some will resort to criminality. Thus as long as human differences exist, crime is inevitable and one of the fundamental conditions of social life."[2]

In this regard, the conservative view echoes this sentiment inasmuch as they seek to establish a genetic trait that explains criminal behavior. They argue, "If liberals have trouble with the idea that people's genes influence their chances of committing crimes, conservatives have trouble with the idea that poverty causes crime. Conservatives do not deny that the poor commit more crimes than the rich. But instead of assuming that poverty causes crime, conservatives usually assume that poverty and crime have a common cause, namely the deficient character or misguided values of the poor." (Jencks, p. 11) Concomitantly, the neo-liberals are essentially giving credence to the conservative's position as it pertains to the "underclass." For instance sociologist, William J. Wilson, purports, "The liberal

perspectives on the ghetto underclass have become less persuasive and convincing in public discourse principally because many of those who represent traditional liberal views on social issues have been reluctant to discuss openly or, in some instances, even to acknowledge the sharp increase in social pathologies in ghetto communities." (Wilson, p. 6) Needless to say, such ideas that genetic traits are the cause of crime set a dangerous precedent. Trying to discern the social pathologies of the underclass harbors views that purport the wholesale contamination of entire communities. However, if one were to advocate that criminal behavior, especially of the poor, is either caused by genetic traits and/or born of social pathologies, then indisputably, it must be espoused that much of America suffers from these same causes.

In the March 12, 1993, issue of the *Wall Street Journal* an article entitled "Common Criminals —Just About Everyone Violates Some Laws, Even Model Citizens," byline by Stephen J. Adler and Wade Lambert stated:

> We are a nation of lawbreakers. We exaggerate tax-deductible expenses, lie to customs officials, bet on card games and sports events, disregard jury notices, drive while intoxicated —and hire illegal childcare workers.

The last of these was recently the crime of the moment, and Janet Reno wouldn't have been in the position to be confirmed unanimously as attorney general if Zoe Baird had obeyed the much-flouted immigration and tax laws. But the crime of the moment could have been something else, and next time probably will be. This is because nearly all people violate some laws, and many people run afoul of dozens without ever being considered, or considering themselves, criminals.

When we look at downtown urban centers, when we look at the lines of humanity waiting for food or a bed at the missions; if we look at the faces of people living in cardboard boxes on the streets of the cities, we must know that a crime has been committed. When we look at the faces of dispossessed people, we see faces that look like people who lived in California when it was part of Mexico. In Miami we see faces of people whose great-great-grandparents were abducted and brought here from Africa.

In America, in the 1990s, as was the case in England in the 1800s, it is a crime to be poor. The poorer you are, the more criminal you are. If you are so poor that you have no place to live, and you live on the pavement or sleep in a car or in a park, you have committed a crime. It's against the law to sleep on the streets or in a park. If we have no home, it's against the law to sleep anywhere. Walter I. Trattner in *From Poor Law to Welfare State: A History of Social Welfare in America* makes the following observation in opposition to government policies that sought: "to dismantle all benefit programs for working-age people except perhaps for unemployment insurance." (p. 335)

> Indeed, others argued that structural changes in the economy and the erosion in anti-poverty programs were the causes of the problem, and that a strengthening, not dismantling, of the welfare state was essential in order to solve it.

> Such was the theme of Michael Harrington's *The New American Poverty* (1984), a depressing sequel pronouncement,"The poor are still there." They are poor, however, said Harrington, not because of any personal shortcomings or decisions on their part, but because of changes in the international economy , especially the "de-industrialization" of America, and the way in which they have been treated or mistreated here at home. They are the uprooted and the homeless, products of de-institutionalization, cuts in welfare programs, shortages in low-rent housing, and other social and economic forces over which they have no control; undocumented aliens who have become the new sweatshop laborers; unemployed blue-collar workers victimized by the disappearance of steady and relatively well-paying manufacturing jobs in the "smokestack industries" as a result of technological advances and global competition; white-collar workers who lost their jobs due to reorganization schemes in the name of efficiency, plant closings, or moves to new locations in the so-called Sunbelt; hopeless, uneducated, and untrained young blacks unable to get and hold jobs; families headed by poor, unmarried women; uprooted farmers and farm laborers hurt by the elimination of the subsistence farm and the agricultural depression; and millions of others in unskilled, unsteady (and often part-time), low-wage, dead-end benefitless" jobs in the service sector of the economy — cooks in fast food restaurants, dishwashers and chambermaids in hotels and motels, janitors and cleaning women in schools, hospitals, nursing homes, and the like. Harrington and others demand that the government spend billions of dollars on social programs to meet the needs of these "rejects" of society. (p. 336)

When the government fails to be responsible to its citizens and ignores the social dynamics of poverty, people are generally forced to seek illegitimate means to eke out an existence. In this case, it is a question of national oppression, whereby the imperialist government maintains exploitative relationships with New Afrikans, Native Americans, Chicanos, and Asians. Too many of these "rejects" of society are caught in the vicious web of the criminal justice system. But the real criminals are those who create the socioeconomic conditions that perpetuate impoverishment. The real criminal is the colonial government itself. It then becomes necessary to assess the pathology of the capitalist system and social policy makers that make crime big business, and deflect culpability of their criminal behavior.

CRIME IS BIG BUSINESS

The political decisions of the bankers are decisions about who will be poor. Corporate decisions made in the late '50s to remove industry from communities of color were about who would be unemployed. Decisions by developers and bankers about redevelopment (redlining and gentrification) are decisions about who will be homeless. Such decisions affect everyone, but people have no say in the matter. Generally, people, especially the poor, have no say in most social and economic decisions that affect their lives. Somehow that is not part of the democratic method of government, and because people have no say in the process, creating homelessness

is not criminal, but being homeless is. Runaway plants and plant closures are legal, but vagrancy is a crime.

Meanwhile the plight of the nation's hungry and homeless worsened. In November 1984 in a pastoral letter on "Catholic Social Thinking and the U. S. Economy," American Roman Catholic bishops called poverty in America a "social and moral scandal that must not be ignored," and stated that "works of charity cannot and should not have to substitute for humane public policy . . ." A little more than a year later, the Physicians Task Force on Hunger in America reported on a two-year nationwide study it had conducted and concluded that, despite fifty-eight continuous months of economic expansion, hunger was more widespread and serious than at any time in the fifteen years (affecting some twenty million Americans), largely, in its words, because of "governmental failure . . . " (Trattner, p. 337-8)

Hunger and homelessness are deliberately imposed socioeconomic conditions of the disenfranchised large numbers of the American population. This is especially significant when consideration is given to the method and means by which the malfeasance of the powers that be operate to ensure that such conditions stay the same. Thus such pathology ensures the rich get richer, while the poor get prison and early death.

Max Weber has argued that society is structured to function in a specific way to ensure its existence, that the social structure is subject to the mechanics of government, and that governing is all important above and beyond the immediate needs of the people.

> "Weber held that social stratification depends on the distribution of three resources: wealth (economic resources), power (political resources), and prestige (social resources). Thus, in our society wealthy business owners often gain power by contributing to political campaigns and earn prestige by making large donations to charity or to the arts. In other cases, however, the three are not linked. For example, in our society an individual acquires less prestige (in most circles) than someone who acquires comparable wealth by legitimate means. Artists, the clergy, and others may enjoy prestige but not wealth. On occasion people with few economic resources and little social prestige —bureaucrats, for instance— exercise considerable power . . . Weber held that because stratification is multidimensional, the formation of groups depends on which interests or identities people choose to emphasize. In capitalist societies, for example, ethnic and national identifications have proved more important than economic or class identification."[3]

We are able to determine the social and racial implications of certain classes, then, having a vested interest in crime. It can be argued that because an elite class of criminals is in charge, they commit capital crimes, crimes against society and humanity. The jails are overflowing, but that doesn't seem to help—because the real criminals aren't in jail. They're in the board rooms and in the White House. They are the social policy makers that run this country. And today, they are increasing social

repression by building more prisons, creating harsher legal sanctions (i.e., 52 death penalty laws, three strikes you're out), and becoming ever more heedless to the social implications of poverty as an impetus to committing crime.

Under their misleadership, over five million people are homeless, 37 million have no health insurance, 30 million are illiterate, 30 million more are functionally illiterate, 1 million are incarcerated, and 60 million live in poverty and are struggling day to day. By contrast a tiny fraction of the population controls enormous wealth. The median net worth of the top 1 percent of households is 22 times greater than the median net worth of the remaining 99 percent of households. The median net financial assets of the top 1 percent of households is 277 times greater than the mediam net financial assets of the other 99 percent of the population. That 1 percent owns 99 percent of outstanding stocks and shares. The wealth of the richest five percent of the population increased by 37 percent from 1977 to 1988. The wealth of the richest one percent increased by 74.2 percent. At the same time, the number of people in poverty increased by one-third.

In this case crime does pay. The U. S. Justice Department's Bureau of Justice Statistics announced on July 15, 1990, the federal, state and local governments spent $61 billion for civil and criminal justice in 1988, a 34 percent increase since 1985. Other findings in the report were that federal, state and local governments spent $248 per capita: $114 for police, $78 for corrections, $54 for judicial and legal services, and two dollars for other items.

Almost half of the nation's justice spending was for police protection. Corrections accounted for almost one third of justice costs. Spending for corrections grew the most during that period, by 65 percent. Since 1979 state spending for prison construction increased 593 percent in actual (constant) dollars. That's some 2.6 times the rate of spending to operate prison facilities. In October 1988 the nation's civil and criminal justice system employed 1.6 million persons, and the total October payroll for them was almost $3.7 billion.[4]

Crime is big business in America. Annually the laws are changed to ensure profitability in the industry of crime. Social conditions that serve to maintain levels of poverty feed the industry of crime, put stress on the social stratifications of society. Given the fact that America is a nation of criminals as elucidated in the *Wall Street Journal* article, social conflict is inevitable. It then becomes a matter of identifying the real culprits of crime, and seeking the means to have them become accountable for their criminal behavior. This may very well include the redistribution of their wealth, and the reorganization of the social contract between the government and the governed.

Revolutionary nationalist and socialist efforts are required to formulate a national political agenda and policy that will challenge the prevailing social contract between the oppressed and the oppressor nation. Revolutionary nationalists and socialists must have a clear, concise, mass-line political program identifying and explaining the nature of poor peoples' oppression and how they should be organized to confront their oppression.

Notes

1. Taken from an edited version of a speech by Sabina Virgo given in Los Angeles on International Human Rights Day, December 8, 1990.

2. Larry Siegel, *Criminology*, p. 40.

3. Michael S. Bassis, Richard J. Gelles and Ann Levine, *An Introduction to Sociology*, p. 40.

4. *Justice Expenditure and Employment*, 1988. (NCJ-124132)

Works Cited

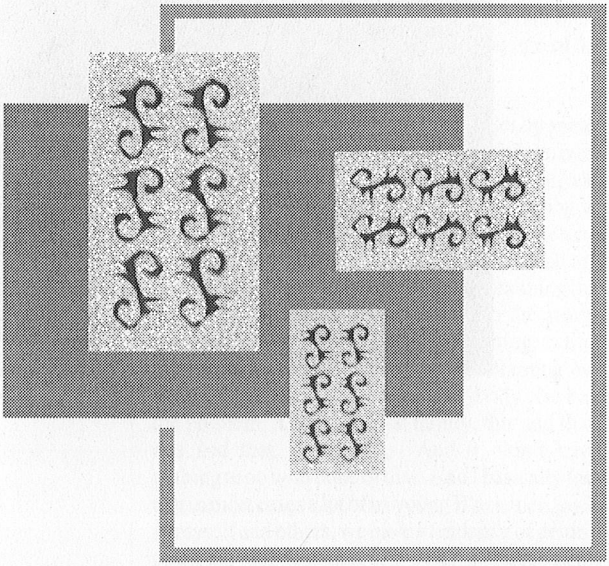
Hacker, Andrew. *Two Naions: Black and White, Separate, Hostile, Unequal.* New York: Ballantine Books, 1992.

Jencks, Christopher. *Rethinking Social Policy: Race, Poverty and the Underclass.* New York: Harper Collins, 1992.

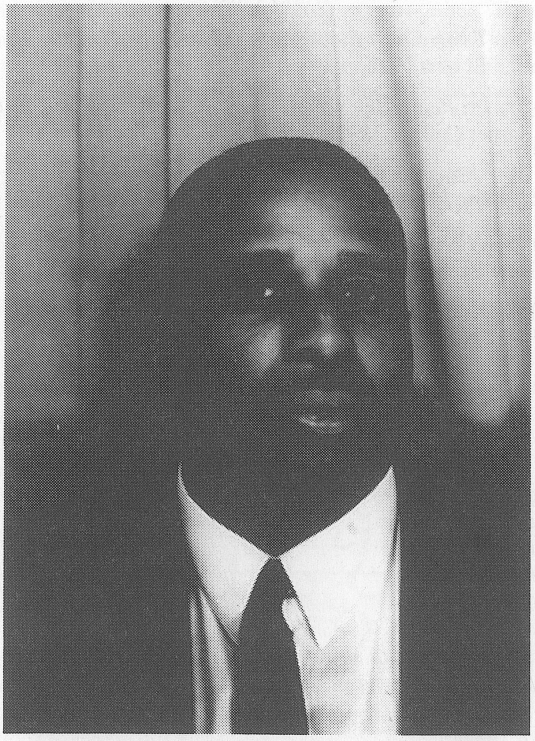
"Lock 'em Up: Outrage Over Crime Has America Talking Tough." *Time Magazine.* February 7, 1994.

Trattner, Walter I. *From Poor Law to Welfare State: A History of Social Welfare in America.* New York: The Free Press, 1989.

Wilson, William J. *The Truly Disadvantaged: The Inner City, The Underclass, and Public Policy.* Chicago: The University of Chicago Press, 1987.



Below: Michael Thornton



Older Sister to Younger Brother

Interview with Michael Thornton

Almost any professional person who is Black is likely to have a close relative who has been in jail or prison. My younger brother, Michael Thornton, is an ex-social prisoner, and only implicitly a political prisoner. He has this to say about himself right now, recently released from prison: "Currently, I am the fleet operator manager for a limousine service in Northern Westchester. I work about twelve hours a day, seven days per week making sure that I stay constructively busy. Basically, I run the company." He is beginning a new relationship and is very happy.

Michael and I have the same father but different mothers, and he was born after I went away to school, so we never lived under the same roof. His mother, with whom I lived for two years before he was born, I call "Miss Bea." I consider her to be my most important mother. She works to keep us connected. Our father remarried and started another family. This interview took place in August 1994 immediately after our father's death. (Chinosole)

Chinosole: Michael, did you say you had been in and out of prison 32 times from the age of 18 to 30?

Michael Thornton: Yes. I got to basically speak on myself because it took time and time again, over and over again of me running through the mill, and finally deciding to surrender; finally deciding to say to myself, "Look, all you doing is getting older." All I seen was all my twenties, I seen all my twenties go to waste. All I remember is nothing but running in and out of jail, running in the street, acting like the street owed me something, acting like the world owed me something. Blaming everybody else besides myself. Everybody else had the problem. Dysfunctional family, this and that, this and that, everything. And it didn't have nothing to do with none of that. And I basically feel that in most cases a lot of us young Black men, such as myself and others, we have a tendency of getting stuck on the fact that it's other peoples' fault, denial, so to say.

Chinosole: Yeah, yeah, you have to be responsible and accountable yourself.

Michael: That's right, that's right.

Chinosole: What kind of group support did you get in prison among your friends? Was it a positive or negative experience?

Michael: For me, in the penitentiary, in jail, it was a negative experience because it was sort of like I joined up with a clique. A gang, so to say. And it was like a protection ring, sort of like a gang you follow . . . myself being 6'4'' and 260 lbs., a lot of people had wanted me to clique with them for that simple reason.

Chinosole: Just the muscle.

Michael: Yeah, you know, like friends of mine. I've come to find out in this here world of me changing my life over, it's a lonely world, because people have used me in my past because of my size, because I'm big. And, you know, it's lonely when you try to turn your life around. You see how people are acting and a lot of times for me, I found that I turned around and looked at myself in other people, you know. I seen the younger generation start coming in jail. When I was sixteen I seen them come in, and they going through the same thing. But the only bad thing now is that they going through it quicker and faster. And now they're coming out with laws where the third felony, you get behind it.

Chinosole: Yeah, that's something. Do you think that's fair?

Michael: I got four of them, so I guess my time was up a long time ago. If they would have came out with this law . . .

Chinosole: Right, yeah, yeah. And look what happened to George Jackson in California. Where you can get in, but because of what they call bad behavior or other offenses, never get out. What they call indeterminate sentences.

Michael: Yeah, never get out.

Chinosole: Jackson committed a non-violent crime in his teens, and there you are, life imprisonment in effect.

Michael: That's right.

Chinosole: When was this that you went into the Phoenix Program?

Michael: I started the Phoenix Program in September 1992. Yes, I got in the program September 1992 and I stayed in the program until recently . . . till I got out, August 2, 1994, which is two years. I followed the program, I followed the

treatment, and I learned a lot about my drug of choice and what it does to me, and how it affects the brain, how it affects my behavior. I did a lot of soul searching while I was in recovery. I dug my roots a lot deeper. I went to the foundation of why I chose the path that I chose. I got a chance to cry. I got a chance to talk about some things that really hurt. And basically, I got a chance to grow.

Chinosole: Yeah. You know, a lot of times when they think of people in prison, they think, well, they come from not just a broken home, but they come from these terrible homes, and the mother is not there, but that's not really your situation. I mean, you came from a broken home, but how did you work out, if you feel like talking about it, your relationship with your mother and your prison experience? I mean, in what way did you have to break off from it; but in another way, how did you see it as something that could allow you to survive prison?

Michael: The relationship with my mother, I truly believe the same way I went about going after my drug of choice, which was turning the other cheek and admitting I was guilty of saying, 'Listen, I'm going to do it in my way. I'm not listening to you no more, I'm doing what I want to do.' In recovery, we call it 'a baby's attitude.' I want things my way, when I want it, how I want it. My mother told me, 'Listen, don't do this, don't do that.' I knew right from wrong, but I did it anyway. Because I wanted things right away. I didn't want to wait for nothing. Just basically, I just wanted things when I wanted them, and how I wanted it. There was no patience, there was no consideration. There was no consideration for no other person's feelings, or anything like that. I found my own negative role models. I made my own role models as far as drug dealings and stuff like that. And then, when I was in recovery, there was a lot of animosity towards my father, even right now today, there's animosity and stuff.

Chinosole: Well, I have it too.

Michael: Yeah. I felt as though things were supposed to be one way, and I seen another side of a family getting it one way, and then it's like, why we got to struggle. That really hurts.

So, you know what I'm saying. I want to go out and get mine. To hell with you. Why does my mother have to live like this, you know? And they over there living. My father did what he did for whatever reason why he did it. I'm 31 years old right now. I'm not going to sit back and play childish games and get high because of that.

Chinosole: Right, right. At some point you have to take responsibility.

Michael: That's right. That's right. And, I did a lot of running away from that . . . I did a lot of wrong. Picking up because of that reason. Using drugs because basically because I wanted to do drugs. Using drugs because that's what Mike wanted to do. I destroyed my life. I've been arrested 32 times. I've seen inmates die right next to me in jail.

Chinosole: Oh, yeah. From the drugs?

Michael: From the drugs. People get stabbed. All types of things. Waking up in the middle of the night and correction officers telling you it's strip-search time, all types of things . . . anything . . .

Chinosole: Why in the middle of the night? Were they looking for something or just punishing you?

Michael: They're just looking for stuff . . . security procedures and stuff. Just dealing with different attitudes and stuff like that. Dealing with different people from all walks of life, blacks, whites, Chinese, this person and that person. Living in an environment where it's like a mad house.

Chinosole: That's true. And when I ask you questions about the politics of it, it's not because I don't want you to take responsibility, or because I'm trying to put the blame some place else. But, once you take responsibility, you also have a larger understanding of why you did what you did in addition to your personal weakness or mistakes. It's on these lines that I try to talk to people. I've never been in prison. I mean, I was a political detainee, so I know what it feels like to be trapped and not be able to walk or do what I want to do when I want to do it. And to be totally vulnerable to whatever the whim the guard had at a given time.

Michael: That's right. That's right.

Chinosole: But those people who are organizing outside against legal and prison injustices need advice about the way you're going to deal with the drug problem. This is the way we're going to deal with young Black men and women, and all this energy they have that is not being put to use. Well, what advice do you have for people like me to alleviate the situation?

Michael: What advice do I have?

Chinosole: Yeah, for organizers that look at the bigger picture. These things are helpful for me to hear because we're in the same family.

Michael: What I would suggest is to talk to the youngsters. Talk to the young ones. Keep them close. Keep them real close. I would suggest don't let them stray away because the system is rough. Once you get caught up in it, you're caught up in it. You do a lot of rationalizing and justifying. You blame this person, you blame that person. There's a lot of people that are incarcerated politically, unjustly. They're in there unjustly . . .

Chinosole: Yeah, like Mumia Abu-Jamal. Have you heard of him?

Michael: No, I haven't. There are a lot of individuals that are incarcerated wrongly, but I truly believe that there's another, so to say, 75 percent of the people in the United States are incarcerated because of their own behavior. Because of them rationalizing and justifying. Because of them wanting things when they want it and how they want it. Because of society. Because of the pressures of society. Because family, mother has to work two jobs and the kid stays at home by itself, and he has to find his own role model. Because there's guys that are sitting up in prison who are there because they put themselves there, who are there because they have used drugs, drinking and stuff like that. Ran the streets and stuff. Ran away from the problem instead of facing the problem. The problem to me, and the only advice that I can give is to stay close to the loved ones. Stay close to the kids. Stay as close as possible. Be their friend, be their father, be their husband, or most of all be that friend when they can come to you and talk to you about anything. They ain't got to run away out there to someone else and get advice from a negative person. Yeah, so that's the only advice that I can basically give because you know it's so hard. There's a whole lot of solutions. Jail is not the solution.

Chinosole: No, no. To an addiction, no.

Michael: Jail is not the solution. Locking a person up and putting them away for the rest of their life is not the solution. That's kind of like closing them off, you know, like what mommy and daddy did to somebody. Some guys I heard tell their stories that's sort of like what mommy and daddy did. They shut the door and locked the door.

Chinosole: Put them in the closet, or go to your room.

Michael: Yeah, go to your room. And some guys are looking for that. Some guys deep down within themselves are looking for that go in the closet and stuff. But, jail is not the solution to that, and it's a shame that they're building so many prisons. New York State has, I believe, 78 prisons. They surpassed South Africa. The state of New York, former Governor Cuomo surpassed South Africa. Cuomo was creating jobs for upstate New York. He was creating jobs for people who were farmers, milking cows and stuff.

Chinosole: What work did you do in prison?

Michael: I was an administrator in the program. I had outside clearance. I worked on highways, putting up fences and stuff.

Chinosole: You actually physically put up the fences?

Michael: Yeah, yeah.

Chinosole: How much money did you make?

Michael: Seventy-five cents a day. That's all the average inmate of New York is making.

Chinosole: Seventy-five cents a day, Michael?

Michael: There's 69,000 inmates in the New York State Department of Correctional Services. And right now men and women making no more than seventy-five cents a day. In the commissary that looks like eight dollars a week. That means you got to get your family to send packages of money orders, you have to get them involved and stuff. Seventy-five cents a day. That's what they're making out there. And the correction officers that are up there who used to be farm boys and stuff like that, they're making thirty-five, thirty-four thousand dollars a year.

Chinosole: This is exactly what Mumia said about how it's a way of employing . . . well, moving some people out of the job market and finding work for Blacks who will obey the law, or appear to, and working class poor whites who they don't have factory jobs for anymore go into corrections. So that's what you saw?

Michael: That's right. That's exactly what they're doing up there. It's all over the state now. You know they got various programs in New York, but when you look at the overall picture, the overall picture from what I've studied is that the commissioner, the deputy, lieutenants and all that other stuff, all them hierarchies in the Department of Corrections, they're using every program possible to say, 'Look we tried to relieve the drug problem. We tried to stop crime. Yeah, we made an attempt to do so.' I truly believe at the end their goal and their resolution is to build more prisons, to lock a lot more brothers and sisters up. To keep the Black man and a growing rate of Black women also from making more and more of us.

Chinosole: Yeah, it's called genocide.

Michael: That's right. It's a generation that's being destroyed. We got brothers upstate that's sitting up there eight, nine years and stuff. We've got guys sitting upstate until they're 60 years old and not coming home.

Chinosole: And what if you refuse to work?

Michael: If you refuse the work, you go to the "box." You go to S.H.U., which is the Special Housing Unit. That is for the behavioral problem inmate. They issue the ticket, you get a tier one, a tier two, or a tier three. A tier three is the most serious ticket. It's a disciplinary action. It consists of a twenty-three hour day you're locked in a cell, a bed. Numerous things happen in the middle of the night. I got into a fight with a guy, and the correction officers at the facility had so much control over their facility, and the inmates were so obedient in their facility, that when I did what I did, which was act out, had a fight, they were shocked. I went to the "box."

They handcuffed me and I was placed in the "box." I'm in there and the officers are walking around with sheets over their heads and stuff like that.

They consider it to be a learning experience. You know what I'm saying? It's sort of to teach you to never fight again in our jail. They have separate jails upstate. Sixty-eight different jails. Different superintendents for all the different jails. When you go upstate, there's a saying: don't disrespect the officers upstate. Just do what you have to do and come on home. There's a lot of brothers upstate acting crazy that are in the "box" getting beat up everyday. Hands in handcuffs, shackled. Most of the time when they do beat you, this is the exact way is how they beat you: they don't beat you above the head, they beat you body wise.

Chinosole: So, it can't be so easily detected.

Michael: That's right. So they beat you body wise. They cut off your phone calls. It's up to them as to whether or not you can make a phone call. So they'll beat you up on a Monday, cut your phone calls off and letter writing and whatnot for four days. Then by the time you get your privileges back, you will be healed of all the black and blue marks. Whoever you have to get in contact with . . .

Chinosole: Right. To complain. Wow, that is really, that is an education for me.

Michael: That's exactly the way it works. You'd never know it. You'd never know it.

Chinosole: Because you can't detect it.

Michael: Because you can't detect it. All you have is an officer's word against an inmate's word. And the inmate is telling you, 'I got beat up.' And the officer saying, "He's out of his mind. He's just making things up." Nine times out of ten, a judge or a district attorney, or a lieutenant, or a captain in the Corrections Department will lean towards the officer's side to protect himself and his facility. And that's the way it works.

Chinosole: So if you refuse to work, you end up in the "box?"

Michael: Yeah. Everybody got to work up there.

Chinosole: That's not really legal, is it. I mean, they don't say it that way, they just . . .

Michael: Yeah, they say it that way. They say it just like that. If you refuse to work . . .

Chinosole: And it's in the Constitution, you know. The Fifteenth Amendment says that slavery is outlawed except in prison. Indentured servitude, they also call it.

Michael: Yeah, if you don't do the work, you go to the "box." Then they have other

forms of the "box." There's administrative segregation, if they feel as though you are a suspect of anything as far as drugs or making weapons and stuff like that, then they have protective custody. It's a business. New York has a wide business. They have a very wide business out of everywhere else around. You know, a lot of things are done by computer. I've seen a lot of stuff happen as far as tuberculosis. A lot of the jails I stayed at are double bunked, and they're not supposed to be double bunked.

Chinosole: Oh, so people with communicable diseases . . .

Michael: Yeah, that's right. I was in a jail where the jail was made for 700 people, and it was double bunked, so it was 1,500 people. So, you had guys there that was dropping dead on the walkway. You had guys there who had tuberculosis who was falling down on the walkway. You had guys there who had AIDS, who was falling out and stuff because the medical staff could not handle the overload. If you got a jail made for 750, your medical staff can only handle 750. Then you double up the jail and put 1,500 in there. And that's what . . .

Chinosole: That's another form of genocide.

Michael: Yeah, that's another form of genocide. Lucky me, I don't know how but I never tested positive for tuberculosis. But people have actually dropped dead on the side of me. I've seen brothers cough all night from twelve o'clock at night till five in the morning, coughing, coughing, coughing. And asked the officer to help them and the nurses say, 'Wait till he passes out, then we'll come and get him.'

Chinosole: That had to make you stronger . . . Of course, the idea of that is to destroy you, but I can see that it hasn't destroyed you. Now, I don't know what the key to that is. It's not one thing. It's not one single thing, but it's made you stronger. I'm not saying that you can't have any problems in the future, but right now you are very strong.

Michael: I think a lot of it . . . and that goes back to my roots too. That's the other good side as far as my father is concerned. He taught me, so to say, pride and quality, to stand up and do it on your own.

Chinosole: For two years you were in the Phoenix Program. And there's no religious element, is there?

Michael: No, no, there's no religious element. It's real simple. When I was in groups and stuff, it was a big change. I didn't want to be in it. I didn't want to have nothing to do with it. As a matter of fact, while I was in regular general population, we used to see guys do the program and go home. And we used to sit back and say 'Man, what's happening. Look at that. They crazy. They be goin' through a lot of stuff in that program.' But, you see, they're going home.

Chinosole: That's the key.

Michael: That's the key (laughter). So, you know we were sitting there, and I finally said 'Listen, man. Hold it. Time out. I want to stop this for a second. Let me get off this train. I want to go over there with them.'

Chinosole: They're going home (laughter). Whatever they're doing . . . (laughter).

Michael: Them guys are going home. You had guys in there, even in the program, you have guys that relapse and stuff like that. They come back and forth from jail. Recidivism is basically the same, but you had the chance to learn something about yourself. You're not in a situation no more where you don't know. You're not in a situation no more where you don't know right from wrong. You're not in a situation no more where you don't know that you're going to have to get your knuckles dirty for a couple of years before you're on your feet. You're going to have to struggle like everybody else. You're going to have to struggle and accept responsibility. You're going to have to accept the responsibility of your kids.

There are guys up there with six or seven kids, eight, nine kids. Guys sitting up there in the penitentiary with families and the wife is on welfare. Just like me, my family is on welfare, and I'm stressing up for a visit, telling her with a child, eight hours on the bus, way upstate New York, to come to see me. You have to show some compassion. You have to find some type of leadership amongst yourself. You have to really find some type of responsibility within yourself to show that compassion towards your family. Say 'Look, time out. Not today. Just do me a favor, stay home.' Because whatever she's doing on the outside, she's doing regardless. You put yourself in that situation. You should be lucky that you're talking to her, you know what I'm saying? You should be lucky that you still have a relationship. And you want to come home as the man and call shots and all this stuff, and you want to tell her what to do and how to do it?

Chinosole: This king of the house stuff.

Michael: Right.

Chinosole: Now, that's one thing I hope you left in prison. (laughter). You know, this king of the house stuff is, you know . . . hey . . . got to go.

Michael: Yeah, yeah, that's right. And that's all like the images and egos and stuff.

Chinosole: Respect is one thing, domination is a whole other ballgame . . . How long do the sessions in the Phoenix Program last, two hours?

Michael: Yeah, some last two hours. You know, like I say, it's not a situation where people are patting you on your back and saying 'Yo, you doin' all right. Don't sweat. Next time we get out, we goin' do this. Check this out, we gonna go over here. No, we're not going to go down Fifth Avenue, we're going to go down Tenth Avenue, because the cops are not on Tenth Avenue, they're on Fifth

Avenue.' You understand what I'm saying? (laughter) It's not like somebody's going to pat you on the back. The program taught me that my shit stinks.

Chinosole: You need to know that. But, that takes me to my next question. This is going to be a prolonged dialogue. It's just important to me to hear what you have to say. But, you're at a point now where, what will you do now to earn a living, to keep yourself out of the prison? What are the steps that you're taking now to take care of your family ?

Michael: The steps that I'm taking to take care of my family is . . . for one thing stay drug and alcohol free. Stay with my groups, Narcotics Anonymous, Alcoholics Anonymous.

Chinosole: That takes a lot of focus. I mean, that takes time and energy, right?

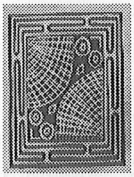
Michael: Yeah, realizing every day that I do have a problem. Realizing every day that if I pick up a drug or a drink, then it will eventually lead me to be in jail or death. And jail has been my bottom. I've accepted the fact that jail is my bottom.

Chinosole: So you are going to be working in the limousine service?

Michael: Yeah, yeah. It's just staying busy. I got four sons. . . I consider them to be my sons, even though their not my sons, they're stepsons. I consider them to be my sons because I'm the only positive role model in their life. Their father is an active drug user who is HIV positive. And he's still out there using right now. He's still using drugs and selling drugs and stuff like that. He's still in the mix, so to say. I would consider him to be committing suicide right now. So I'm the only role model for them.

Chinosole: And that's what you mean, staying close to the young?

Michael: Yeah, staying close to the young, regardless, keep them close. Because in my case I got a lot of good information. I got a lot of good things to talk about, but besides talking, I got to walk the walk. Besides sitting up, I got to walk the walk and I got to be that role model. I got to be in the position where the kids say "Yeah, that's where Michael's been." Setting an example.



FLOWING IN FILE:
The George Jackson Phenomenon

Sanyika Shakur

"Crusader against the causes of gangsterism," Sanyika Shakur *is a member of the New Afrikan Independence Movement and author of the acclaimed autobiography* Monster: The Autobiography of an L.A. Gang Member. *After being imprisoned, Sanyika Shakur channeled his energies into intense political education and analysis of the New Afrikan inner city experience.*

Traditionally, the consensus regarding those captured by the state who belong to organized formations within the New Afrikan Independence Movement, has been to accord them either Political Prisoner (PP) or Prisoner of War (POW) status.

This general consensus usually flows in accordance with the way in which the situation develops —from outside in. Meaning that not until a combatant or activist has been captured does he/she becomes a POW or PP. This status is representative more so of organizational politics than of any universally accepted or specifically recognized protocol.

There are, however, guidelines and protocol which do exist relative to such prisoners,[1] but all organizations that consider themselves "revolutionary" and "at war with the u.s. government," don't accord POW/PP status to their captured constituents.

The POW status usually recognized by the u.s. government develops as a consequence of a war in which the u.s. is losing. It has suffered the capture of a multitude of soldiers by the opposition, such as Viet Nam and North Korea. But when there is domestic or close continental struggle, as is the case with the New Afrikan and Puerto Rican Independence Movements, the u.s. government balks at claims of Political Prisoner and Prisoner of War status.

Such denial is necessary for the u.s. government to disavow. To recognize such claims would be to admit the existence of internal colonies. This would, of course, dispel the facade of a "united states," just as the national fissures within the Eastern Bloc exploded the myth of a "Soviet Union."

u.s. denial however should have no bearing on Our recognition of those captured while working in the service of freedom.

As a consequence of Our movement not being totally detoxified from anachronistic politics, We tend to look one-sidedly at the scope of POWs and PPs, and the overall importance of their relationship with, and subsequently to, Our

struggle for land, independence and socialism.

Beginning, first and foremost, with a view of POWs and PPs which flows only from outside in, is non-dialectical and not truly representative of Our reality. To hold the position that only those captured as conscious combatants or political activists are POWs and PPs is exclusionary and non-dialectical.

For example, Comrade-Brother George Jackson was captured as a common criminal. As a consequence of Our collective neo-colonial relationship with the empire, Comrade George received a one year to life sentence for a $70 robbery. Had Comrade George not transformed his criminal mentality, he could not have become a revolutionary. Moreover, had he not been a revolutionary, a political prisoner, he would not have been charged with the correction of the soldier-cop in Soledad.[2] As a result of the coverage given the Soledad Brothers' case, Comrade George was contacted by and eventually joined the Black Panther Party.[3] Thus, he became a Prisoner of War. He became a POW because he was drafted into the military wing of the Black Panther Party as a Field Marshall.[4] As a consequence of the politico-military motives which drove him to be in an almost constant state of direct war with his captors, the Party recognized his status as such.

He became a political prisoner as a consequence of the social relation he conducted daily with prisoners which centered on the seizure and retention of state power. None of this would have been possible, however, had he not overstood the need to transform his criminal mentality. For the criminal mentality is parasitical, predatory, and dangerously mercenary.

We need to deal with the facts as confronted in the "real world" and not simply through some virtual reality dreamscape. We need to overstand that literally We all are in custody. That's what colonialism means. As such, We are prisoners in a general penitentiary, a socio-economic lockdown, complete with twenty-five foot philosophical walls, topped by ideological razorwire, and ringed by guntowers armed with theoreticians who aim to disable and kill.

This is the collective reality of Our lives here in amerika, where Our social and productive forces are held in partial paralysis through neo-colonialism. As a consequence of this, Our whole lives are essentially political, governed by relations We conduct daily and which ultimately center on the seizure and retention of state power. Forms of this quest for "state power," i.e., *freedom*, take on two distinct patterns: *One* is a desire to join with those responsible for the maintenance of the oppressive system —the general penitentiary— thinking that it's not the system that is corrupt, but rather the administrators. Therefore, a mere shuffling of seats will remedy the ailment. So they think.

The other line has been clearly to raze the tenets of the administrators and escape the oppressive confines of the general penitentiary; erect a new socialist society and get on with life. Of course, these two lines represent the difference between reform and revolution, neo-colonialism and independence.

When combatants or political activists who belong to organized formations within the New Afrikan Independence Movement are captured, they are necessarily accorded POW or PP status. This is both tactical and strategic. We see Ourselves as citizens of the Republic of New Afrika, as revolutionaries *con-*

sciously engaged in the War of Independence against the amerikan settler government. To recognize Ourselves as POWs and PPs is to acknowledge the essence of Our struggle: the struggle between two nations — between two systems of social organization and political economy.[5]

Moreover, We need to include into Our overstanding of the above, what myself and a few others have called the *George Jackson Phenomenon.* Whereas, common criminals can/have, through arduous study and struggle, transformed their mentalities into productive mindsets with proletarian consciousness, working in concert with organized formations to rebuild and free the land. There was Brotha Andaliwa Clark, who Sundiata Acoli (a New Afrikan Prisoner of War) called "a revolutionary par excellence." [6] He was murdered by soldier-cops in an escape attempt from Trenton State Prison in 1976. Andaliwa became a political prisoner while <u>in</u> prison. This is equally true for Shaka Shakur in Indiana; Gaidi Olugbala, Talib Kashif Shakur, and myself here in California. The list is quite extensive.

What We are calling the *George Jackson Phenomenon* is actually the recognition and transformation of the criminal mentality into a revolutionary mentality. This is what Comrade George himself went through and then attempted to guide others through.

Comrade George said:

i met Marx, Lenin, Trotsky, Engels, and Mao . . . and *they redeemed me.* For the first four years, i studied nothing but economics and military ideas . . . *We attempted to transform the black criminal mentality into a black revolutionary mentality.*[7]

Comrade George was "redeemed" from criminality through study and struggle. He then "attempted to transform" others who were still afflicted by criminality. To "attempt to transform" means a recognition <u>of</u> and therefore an overstanding of *how* a situation occurred, and subsequently, a practical method for its resolution. His position on this was:

> Prisoners must be reached and made to understand that they are victims of social injustice. This is my task working from within (while I am here, my persuasion is that the war goes on no matter where one may find himself [herself] on bourgeois-dominated soil). The sheer numbers of the prisoner class and the terms of their existence make them a mighty reservoir of revolutionary potential. Working alone and from within a steel-enclosed society, there is very little that people like myself can do to awake the restrained potential revolutionary outside the walls. That is part of the task of the "Prison Movement."[8]

Before Comrade George "met Marx, Lenin, Trotsky, Engels, and Mao," he was still, while in prison, a common criminal, engaged in parasitical activity on the prison yard, banging with the Wolf Pack.[9]

The title of POW and PP serves to educate and inform the observer as to the degrees of struggle We are engaged in. Briefly then, a POW is a combatant functioning within one of the armed formations of the New Afrikan Independence

Movement who, as a consequence of a blunder or superior fire power of the state's forces, is captured.

A Political Prisoner is a cadre/activist belonging to one of the organizations within the Movement who, as a result of their political activity has been captured by the state. Overstanding, as We do, that all truly anti-imperialist activity, whether one is carrying a picket sign, a shovel or a gun, is illegal activity, which could lead one to the cellblocks.

Likewise, a POW or a PP can be an individual educated and transformed while already in prison after having joined one of the organized formations representing the nation, e.g., Adaliwa Clark, Shaka Shakur, etc.

The amerikan imperialists use conspiracy laws and criminal slogans to euphemize the reality of Our struggle as a tactic to forestall awareness regarding Our Independence Movement.

Comrad-Brotha Kusasi Balagoon, Black Liberation Army Soldier, was captured in 1981 as a consequence of an expropriation which went wrong. The kourts insisted on trying him as a common criminal in spite of the fact that he clearly was a revolutionary.

In his opening statement Kuwasi Balagoon exclaimed:

> I am a Prisoner of War and I reject the crap about me being a defendant, and I do not recognize the legitimacy of this court.

The term defendant applies to someone involved in a criminal matter, in an internal search for guilt or innocence. It is clear that I've been a part of the Black Liberation Movement all of my adult life and have been involved in a war against the American Imperialists, in order to free New Afrikan people from its yoke.[10]

In another kourtroom, Comrade Sekou Odinga, Black Liberation Army soldier, charged in the same Brinks case, but given a R.I.C.O. (Racketeering Influence Corrupt Organizations) indictment, said before being sentenced:

> I am a Prisoner of War, a Freedom Fighter against the fascist government of the United States. Both me and you, judge, know you represent the lawless government, so do what you want to. Others will keep fighting to free the land and for our own independent Nation of New Afrika.[11]

The u.s. prosecutor, Edmund Alekesey, called Comrad-Brotha Sekou, "the top criminal in the country."[12]

Dr. Mutulu Shakur similarly filed a Prisoner of War Petition following his capture in Los Angeles in 1986, but was likewise denied by the u.s. kourts who proceeded to try this New Afrikan patriot as a common criminal. In his POW Petition, Dr. Mutulu Shakur wrote:

> Given the body of factual data in defendant's affidavit about the war against New Afrikans and the Black Liberation Movement, and the massive documentation the Church Committee revealed that chronicled the

government's "secret war" involving the Army, the CIA, the FBI, the IRS and the state and local police against the Black Liberation Movement,such actions taken against any foreign nation would clearly constitute overt "acts of war," in international law. Any person captured would be considered a prisoner of war. Protocol I would accord such individuals involved in internal conflicts the status of Prisoners of War. BLA communiques issued at the time stated there was a war, and the government treated the situation as a war, and the United States Senate's failure to ratify the Protocols does not preclude this court from investigating the issue of the true nature of the accused prisoner's status. The government insists that the judiciary must defer to the political branch because the President and Congress alone can exercise the power to declare war. But the massive actions directed against the New Afrikan Movement and people demonstrate that the Executive Branch has already declared war. Further, not part of the United States regular force, the legal requirements for an internationally recognized armed conflict have not been met. This self-serving statement shot within two days in 1971 by the Black Liberation Army. Afterwards, President Richard Nixon called a White House meeting of internationally-renowned experts on urban guerilla warfare. As a consequence of that meeting, a Pentagon desk on urban guerilla warfare was established. The President was kept informed on developments in the case.[13]

While the reality of the matter speaks for itself, the virtual reality imposed by the u.s. imperialists gets into an altogether different mold.

"Tradition" sometimes translates into dogma, and tends to authenticate itself through longevity. What We need to overstand is the fluid reality of Our situation not just vis-a-vis the empire, but within the realm of the social development We create.

Prisoners of War, as well as Political Prisoners do not and will not flow only from one direction, but will develop in accordance with the dialectic within which they exist —both from inside and out. The point is to support Our captured combatants and Political Prisoners unconditionally because they've stood up *consciously* in defense of Our freedom against the national assault on Our existence.

RE-BUILD!

Sanyika Shakur

Notes

1. General Assembly Resolution 2621, Geneva Convention relative to the treatment of prisoners of war, August 12, 1949.

2. On January 16, 1970, correctional officer John V. Mills was beaten to death in Soledad State Prison.

3. Ward Churchill and J. J. Vander Wall, *Cages of Steel: Politics of Imprisonment in the United States* (Washington, D.C.: Maisonneuve Press, 1992).

4. Huey P. Newton, *Revolutionary Suicide*, (New York: Harcourt Brace Jovanich, 1973).

5. *Study Notes on Secure Communications*, (Spear and Shield Publications, 1985).

6. Sundiata Acoli, *A Brief History of the New Afrikan Prison Struggle*, 1993.

7. George Jackson, *Blood in My Eye* (Baltimore, Maryland: Black Classic Press, 1970).

8. *Ibid.*

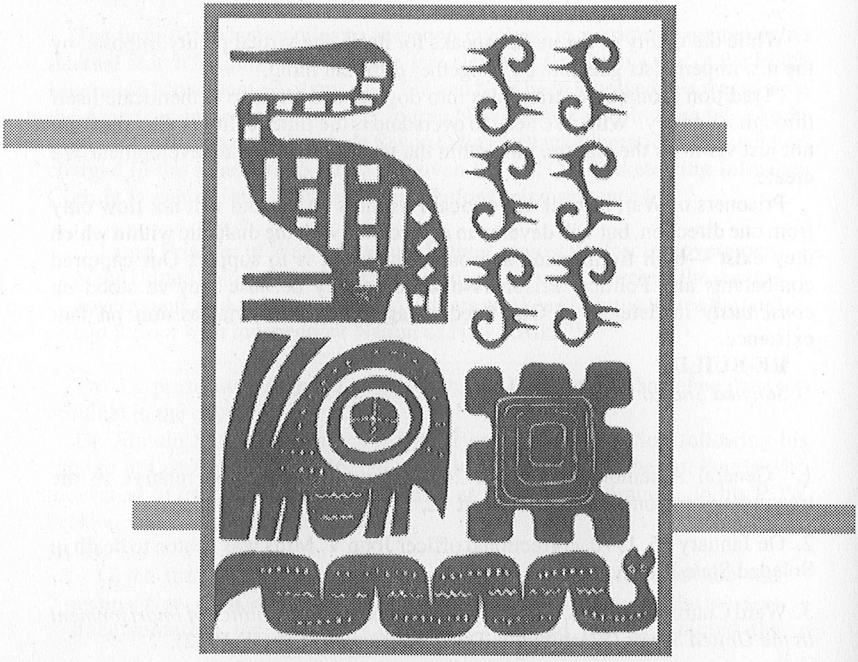
9. James Carr, *Bad: The Autobiography of James Carr*, 1975.

10. Kuwasi Balagoon, *Trial Statement of New Afrikan Revolutionary*, New Afrikan Institute, 1993.

11. "BLA Terrorist Odinga Gets 6 Life terms," *New York Post*, April 20, 1984.

12. *Ibid.*

13. *United States of America vs. Mutulu Shakur, Defendant* SSS 82 Cr. 312 (CSH) Prisoner of War Petition.



PRISON REFLECTIONS

Buddha Pettiford and Atiba Shanna

Buddha Pettiford is being held at the Woodbourne Correctional Facility in New York.

BUDDHA PETTIFORD

While engaged in a lively discussion with, among others, a revolutionary Brother from the war-torn '60s, I stated that "so called" Black nationalists exist in a state of apparent contradiction. Nationalism without government or an economic system is like a country without land.

The elder warrior immediately reminded me of what Frantz Fanon expressed. The Brother said, in his distinct "West Indian" accent: "Fanon said Black Nationalism had pitfalls. . . " How can one be a revolutionary nationalist, striving for self-determination and sovereignty, while co-existing under the economic system which oppresses you and rejects independence and self-rule? The question seems to pose, to me, the unsolvable equation of what happens when the immovable object meets the irresistible force?

* * *

Eurocentric capitalism is not intrinsic to our ethical character. To call yourself a revolutionary or Black nationalist without any thought of constructing a value and an economic system of our own is absurd and hypocritical.

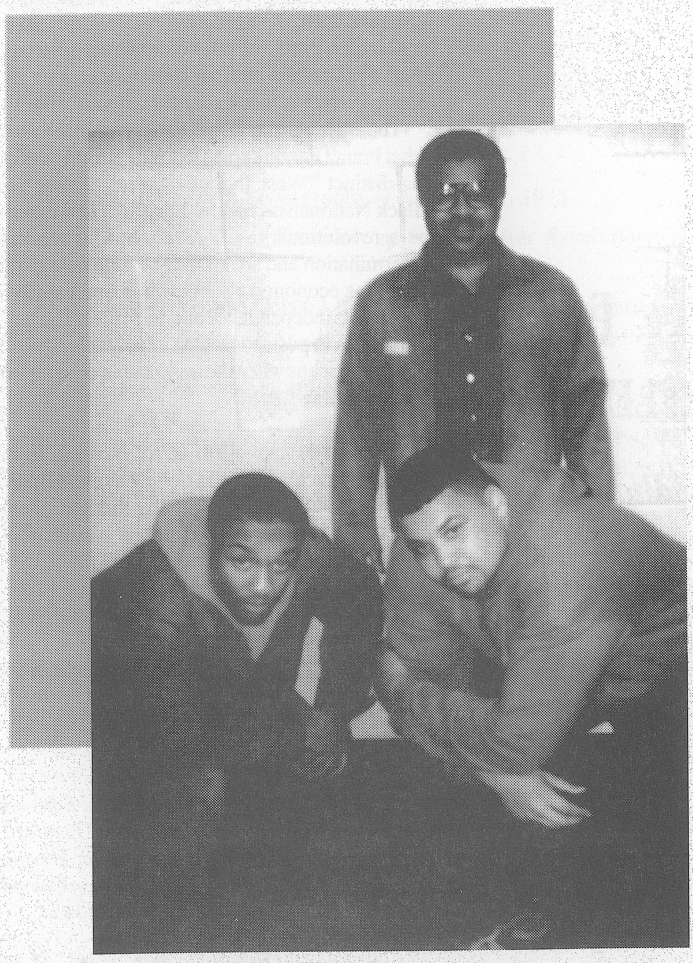
* * *

The Black Nationalist movement in America is full of separate agendas, hidden agendas, opportunism, compromise and let's-work-within-the-system(ism), with each group trying to prove they have all the good sense and everyone else is stupid.

Buddha Pettiford

from "Revolutionary Values and the Emerging Nation" —for complete manuscript of Pettiford's "Revolutioanry Values" write to Herman Fergusson, Malcolm X Commemoration Committee, P. O. Box 340084, Jamaica, NY 11434.

Buddha Pettiford, in his own words: "I was born and raised in the South Bronx, during the time when there were Jews and other whites living in the neighborhood. When my kindergarten teacher kicked me —I believe I was behaving a bit too lively— I tried to chew the man's leg off. Throughout my life there has been very little done



to change that initial perception. At the age of seventeen, I embraced a form of Islam that advocated Black nationalism. I still advocate it: revolutionary Black nationalism."

ATIBA SHANNA

The New Afrikan Independence Movement (NAIM) struggles against the U. S. to realize national self-determination of New Afrikan people. One aspect of our struggle is the campaign which seeks POW status and treatment for New Afrikan captured combatants in accord with the 1949 Geneva Convention Relative to the Treatment of Prisoners of War (known as the Third Convention), and its 1977 Additional Protocol (see note on p. 179).

Most of NAIM's efforts in this campaign have been directed toward securing U. S. adherence to these instruments of international humanitarian law, as well as our attempt to obtain recognition by the international community of the separate existence of New Afrikan people inside the U. S. borders, and of our legitimate struggle to realize our right to self-determination as a sovereign state. The NAIM tends, however, to overlook the obligations which these same instruments place upon us. We fail to take advantage of the opportunities the instruments provide for the further structural and political development of our movement.

* * *

[Some of the obligations outlined include]:

The NAIM's "dissemination project" should be conducted through the written word, the spoken word (seminars, etc.), and through audio-visual techniques. The project should be conducted throughout the New Afrikan National Territory and the U.S. geopolitical area. We should direct relevant materials to the international community outside U. S. borders and to their offices inside the U. S.

The "Joint Committee" must also advise, inspire, and educate the educators; create materials, and, in some cases, review the materials of others; exchange information with other liberation movements and solidarity groups and, to the greatest extent possible, coordinate the whole of related activities for the New Afrikan Independence Movement. The Committee should thus be responsible for all work with and on behalf of New Afrikan captured combatants, e.g., legal activities, regular visits, funds, literature, medical support, and particular attention to the welfare of their families.

AFTERWORD

We aren't implying that "legal" avenues (e.g., appeals to the U. N.) will secure national self-determination for New Afrikan people. Nor do We want to suggest that any work with or on behalf of captured combatants should be the primary focus of NAIM resources and activity. The New Afrikan Independence Movement must begin to systematically generate the support and activity of the mass of New Afrikan people. Only such a movement will ultimately determine the fate of our captured combatants, and secure national independence and socialist development for New Afrikan people.

Atiba Shanna

From "Notes on The Promotion of Knowledge and Respect for the Laws of War or Meeting the Obligations of International Humanitarian Law"

Photo Facing Page: Buddha Pettiford and friends

GENOCIDE WAGED AGAINST THE BLACK NATION

Dr. Mutulu Shakur
Anthony X Bradshaw
Malik Dinguswa
Terry D. Long
Mark Cook
Adolfo Matos
James Haskins

For complete manuscript write to: The Dr. Mutulu Shakur Defense Committee, 2550 Shattuck Avenue, #42, Berkeley, CA 94704

We specifically charge that the government of the United States is practicing genocide through behavior modification and counterinsurgency and low intensity warfare techniques in its penal system, i.e., the state and federal prisons.

We submit that behavior modification as practiced in United States prisons incorporates techniques from both counterinsurgency, low intensity warfare, and the science of psychology in the interest of political and military objectives. The implementation of this strategy in the United States penal system is the result of research conducted by government scientists and counterinsurgency agents who studied the theories and works of past experts in the distinct fields of behavior therapy (synonymous with behavior modification), insurgency,and low intensity warfare.

Every aspect of this behavior modification program violates the human rights of those persons subjected to it, and it is this treatment that is vehemently complained about by political prisoners and POWs. This program involves a scientific approach in targeting special prisoners with the aim of achieving political objectives. Each targeted prisoner is observed to determine his or her leadership potential, religious belief, aspirations, and most importantly, to record his or her reaction to the experiments being implemented. The sole purpose of the program is for government agents to learn lessons from experimenting with political prisoners, how they suffered and reacted; then use those findings to formulate a broad plan to be implemented against the people in society at large who are the ultimate targets.

The oppressive conditions and the experiments conducted in the United States penal system, as implemented by this government through prison officials, are the evidence of a psychological war being waged against political prisoners[1] who come from a people who are involved in a struggle of resistance in all forms. When the behavior modification program con-

ducted by the government is viewed in the light of the mandates contained in the "Geneva Accord" one can only conclude that the United States Government's actions have been criminal and specifically violated the international laws concerning the rights of human beings. Accordingly, the United States Government's acts should be regarded as war crimes.

Specifically, the U.S. Government has been in violation of *Article I* of the Geneva Convention on the prevention and punishment of the crime of genocide which was approved by the United Nation General Assembly on December 9, 1948, and the U.S. Government has been in violation of resolution 260, *III,* which entered into force on January 12, 1951. In this resolution "the contracting parties confirmed that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and punish." According to *Article II* genocide is defined as any of the following acts committed with the intent to destroy, in whole or in part, a national, ethical, racial, or religious group; such as:

A. Killing members of the group;

B. Causing serious bodily or mental harm to members of the group;

C. Deliberately inflicting on the group conditions of life calculated to bring about its destruction in whole or in part;

D. Imposing measures intended to prevent births within the group;

E. Forcibly transferring children of the group to another group;
(cited from "The Law of Nations," by Herbert W. Briggs, see editor's note)

Subsequent to having reviewed the above list of acts that constitute the crime of genocide, as set forth by the Geneva Convention, we submit that the behavior modification program being carried out in the United States penal system is a scientific form of genocide waged against the Black Nation, and it is a continuance of the nefarious tactics employed by the government over the years to keep the Black Nation subjugated. On learning of the use of behavior modification techniques in furtherance of counterinsurgency and low intensity warfare objectives, especially in light of the government's intended broad application, all caring people in any society should be shocked.

Behavior modification is a highly complex science composed of information from various sciences such as psychology, sociology, philosophy, anthropology, and even some aspects of biology. By definition "behavior modification" broadly refers to the systematic manipulation of one's environment for the purpose of creating a change in the individual's behavior.

We submit that Black people were in fact the first experimental targets of group behavior modification. Furthermore, current data and statistics on the prison situation support our contention that Black people inside the states and federal prisons today remain the prime targets of the government's program. Moreover, we discovered during our research that the psychological warfare being waged in

the U.S. penal system was planned as far back as the early '60s because the government foresaw that Black people would revolt against being oppressed, even in prison. Black people's conduct, like that of many people throughout history, validates the axiom that "oppression breeds resistance."

Significantly, in 1961 a social scientist named Dr. Edward Schein presented his ideas on brainwashing at a meeting held in Washington, D.C. that was convened by James V. Bennett, then director of the Federal Bureau of Prisons Systems and was attended by numerous social scientists and prison wardens.[2] Dr. Schein suggested to the wardens that brainwashing techniques were natural for use in their institutions. In his address on the topic "Man Against Man" he explained that in order to produce marked changes of behavior and/or attitude it is necessary to weaken, undermine or remove the supports of old patterns of behavior and old attitudes. "Because most of these supports are the face-to-face confirmation of present behavior and attitudes, which are provided by those with whom close emotional ties exist." This can be done by either "removing the individual physically and preventing any communication with those whom he cares about, or by proving to him that those whom he respects are not worthy of it, and indeed should be actively mistrusted." Dr. Schein then provided the group with a list of specific examples such as:

1. Physical removal of prisoners to areas sufficiently isolated to effectively break or seriously weaken close emotional ties.
2. Segregation of all natural leaders.
3. Use of cooperative prisoners as leaders
4. Prohibition of group activities not in line with brainwashing objectives.
5. Spying on the prisoners and reporting back private material.
6. Tricking men into written statements which are then shown to others.
7. Exploitation of opportunists and informers.
8. Convincing the prisoners that they can trust no one.
9. Treating those who are willing to collaborate in far more lenient ways than those who are not.
10. Punishing those who show uncooperative attitudes.
11. A systematic withholding of mail.
12. Preventing contact with anyone non-sympathetic to the method of treatment and regimen of the captive populace.
13. Building a group among the prisoners convincing them that they have been abandoned by and totally isolated from the social order.
14. Disorganization of all group standards among the prisoners.
15. Undermining of all emotional supports.
16. Preventing prisoners from writing home or to friends in the community regarding the condition of their confinement.

17. Making available and permitting access to only those publications and books that contain materials which are neutral to or supportive of the desired new attitudes.
18. Placing individuals into new and ambiguous situation for which the standards are kept deliberately unclear and then putting pressure on them to conform to what is desired in order to win favor and reprieve from the pressure.
19. Placing individuals whose will power has been severely weakened or eroded into a living situation with several others who are more advanced in their thought reform and whose job it is to further the undermining of the individuals' emotional supports which were begun by isolating them from family and friends.
20. Using techniques of character invalidation, e.g. humiliations, revilement, shouting, induce feelings of guilt, fear and suggestibility, coupled with sleeplessness and exacting prison regimen and periodic interrogational interviews.
21. Meeting all insincere attempts to comply with cellmate's pressures with renewed hostility.
22. Repeated pointing out to prisoner by cellmates of where he was in the past in contrast to where he is in the present, not even living up to his own standards or values.
23. Rewarding of submission and subservience to the attitudes encompassing the brainwashing objective with a lifting of pressure and acceptance as a human being.
24. Providing social emotional supports which reinforce the new attitudes.

Following Dr. Schein's address, James Bennett commented, "We can perhaps undertake some of the techniques Dr. Schein discussed and do things on your own. Undertake a little experiment with what you can do with the Muslims. There is a lot of research to do. Do it as groups and let us know the results."

Approximately eleven years after that historical meeting, it was confirmed that Dr. Schein's ideas and objectives were in fact being implemented inside the prisons. In July 1972, the Federal Prisoner's Coalition in a petition to the United Nations Economic and Social Council asserted that the Asklepieion program conducted at the Marion, Illinois, federal penitentiary was directly modeled on Chinese methods of thought reform. The petition contains a point-by-point comparison between Dr. Schein's address, and the written description of the goals and structure of the Asklepieion program. (See note number 2 above).

In further discussion of the many tactics implemented under this behavior modification program, we should not overlook the fact that prison officials will use drugs as a method of control. In fact, we have discovered that most of the drugs used by prison officials today are far more detrimental in their relative potency than those used in earlier years.[3] It is not unusual inside the prisons today to see

prisoners exhibiting "Zombie-like-behavior" as a result of the type of drugs administered to them against or with their consent. In many prisons it is a prerequisite for some prisoners to take certain prescribed drugs in order to be released from solitary confinement. There are several courts that support the forcible use of drugs by prison officials thus leaving the way open for the use of drugs as a hands-on tactic.

It is our position that whether or not one's response is a shocked conscience on learning of the behavior modification experiments, one should not consider the measure of one's feelings the acid test[4] in deciding that the experimenters have exceeded the legal criterion of what constitutes violative practices. One should merely bear in mind that the behavior modification experiments are conducted to achieve nefarious counterinsurgency and low intensity warfare objectives. Nevertheless, the judicial branch of government continues to support the daily abuses arising out of the behavior modification program carried out in the United States penal system by not intervening to order the executive branch to cease their deleterious program and practices.

Moreover, many of the programs carried out by the Reagan administration and continued by the Bush administration that focus on the suppression of the Black Nation would immediately be condemned were they exposed to public scrutiny. Of course, one such program that would meet with public condemnation, if it were given wide public exposure, is the behavior modification program.

We submit that the captured Black Nation was and remains a prime target of the government's strategy of behavior modification counterinsurgency and low intensity warfare. The evidence of the implementing of the government's strategy is evinced by the exceptionally harsh treatment inflicted on Black prisoners in the

> The government of America knows exactly what it is doing; it has mastered the techniques of mass control. It knows how to build into an environment certain stimuli that will set into motion a desired process that takes on a life of its own, with the hand that originated the process becoming less and less visible. The withdrawing of the hand results in the people mistaking the effect for the cause.
>
> *—from "Genocide Waged against the Black Nation" by Mutulu Shakur, et. al., p. 32.*

United States penal system—especially those prisoners who are committed to the Black Liberation Movement, the struggle for self-determination.

We want to point out, and it is important to understand the fact that the prisons in the United States have always been operated primarily by white administrators and supplied with predominantly white prison guards. This combination of factors renders the Black prisoner excessively vulnerable to and a prime target of unbridled racism and brutality. In addition, there is the fact that the government itself is deeply rooted in racism.

Also, we must not overlook the fact that there are prisoners from other oppressed Nations inside the United States and from the Caribbean Islands who, as they fight for their national liberation, are also targeted by this government's strategy of counterinsurgency and low intensity warfare. One indication of the commitment and determination possessed by these brothers and sisters from elsewhere is reflected by the fact of the many political prisoners and POWs from their struggles locked inside the bowels of the United States penal system.

The Puerto Rican National Liberation Movement in Puerto Rico and in the United States of America has been a prime target of the United States Government, and the government has used the most severe tactics of counterinsurgency and low intensity warfare against them for a half century or more. Since United States troops invaded the island in 1898, the people have used every method within their reach to terminate the colonial type structure designed and imposed on them by the colonizers, specifically the United States Congress.

Again the United States has violated the most basic principles of a people. The United States is cognizant of its wrongfulness and it is aware that people of the world, airing their views through their representatives in the United Nations General Assembly, side with the struggling Puerto Rican people. In fact, "The General Assembly . . . reaffirms the legitimacy of the people's struggle for liberation from colonial and foreign domination and alien subjugation by all available means, including armed struggle." (See U.N. General Assembly Resolution 3030 (XXVIII)).

The American Government has assassinated certain members of the Puerto Rican Movement; it has tortured and maimed political prisoners; it has used frame-ups resulting in imprisonment; it has transferred the Puerto Rican leadership from the Island of Puerto Rico to prisons deep inside the continent of the United States; thus, denying the leadership the opportunity for community *with persons in the ongoing movement.*[5]

An example of United States' imperialism and the United States' efforts to control and alter the behavior of people resisting oppression becomes startlingly clear when we observe the handling of Black and Latin freedom fighters from the Caribbean Islands who are incarcerated inside the U.S. penal system. Many of these prisoners are politically opposed to the "puppet regimes in their Caribbean Islands that America controls."[6] Consequently, these dissident prisoners also become targets of the government's counterinsurgency and low intensity warfare.

It should also be understood that because of the geo-political and economic objectives the United States is carrying out in these underdeveloped and develop-

ing nations, many social crimes are committed on these islands and these crimes are a direct result of America's intervention. After arriving on United States soil, though, the prisoners from the Caribbean Islands become socially, politically and culturally active in the United States prison system, and their experiences incline them to create unbreakable bonds between themselves and the other Black freedom fighters inside the United States.

To fully appreciate the overall effect of behavior modification and low intensity warfare on those prisoners subjected to it, more research will have to be done. But we feel that it is safe to say, in view of the incarceration of freedom fighters from the Caribbean in the United States prison system, which results in their political and cultural isolation, that they are very, very much enmeshed in the United States Government's counterinsurgency, low intensity warfare and behavior modification programs.

The mentioning of Blacks from the United States continent and the Caribbean Islands, the mentioning of Puerto Ricans from the United States and from the Island

> Low Intensity Warfare involves the use of political - military strategy to achieve political, social, economic, and psychological objectives. Such wars are often of a protracted nature and many of the major battles are fought in the diplomatic, economic, and social arenas in an effort to apply psycho-biological pressure on the resisters. Equally important is the fact that low intensity wars have as their main features the constraint on weaponry used and the intermittent eruptions of violence. Accordingly, low intensity warfare is suited for the use of subtle and sophisticated techniques. The use of such techniques is aimed at keeping the conflict disguised (e.g., using such techniques enables the state authorities to label a military action a police action), preventing scrutiny by relevant in-country and out-of-country parties, and preventing the introduction into the conflict of international standards governing warfare and/or acts of genocide.
>
> —from *Genocide Waged against the Black Nation,* by Mutulu Shakur, et. al., p. 16.

of Puerto Rico[7] all of whom are freedom fighters of color, gives rise to the question: are white anti-imperialists prisoners also targeted by the government's programs? When white anti-imperialists are charged and brought before judicial tribunals, many American judicial members suggest that because the white anti-imperialists are not victims of oppression, they have no justification for participating in the resistance. This position is clearly a nullification of the "Nuremberg principle." Furthermore, we submit that it is natural for a caring human being to sympathize with, support, or align with those who resist being oppressed. However, when the white anti-imperialists do get involved in the resistance and are thereafter placed in prison because this government is deeply rooted in racism and feels compelled to discourage whites from aligning themselves with Blacks, the treatment inflicted on anti-imperialists are just as severe as that meted out to Blacks and the treatment is sometimes exceptionally cruel. These tactics are aimed at sending the message to North American whites to stay clear of the struggle.

We charge that at present, and for some time now, there is and has been a very clear and systematic program of low intensity warfare perpetually in motion in the prisons across America. Also, this program, brutally alive and well, is no mere accident, no loosely controlled haphazard affair. No, it is part of a precise, coordinated, careful, well-thought out program that embraces the most scientific and subtle techniques of brainwashing, of psychological infiltration, of menticide. It is a program for the ruthless manipulation of people's minds, forcing them to conform with scientific and archetypal patterns of broken subjects. Their scientists have very meticulously worked out the intricate details of this practice through experimentation, deduction and inference.

They have worked out the details on how to create a controlled environment, on how to impregnate the environment with certain subtle messages in order to trigger certain thoughts and behavior patterns in their controlled subjects ,[8] all based upon their knowledge of the laws of the workings of the mind.

Isolation and sensory deprivation as it is practiced in the Auschwitzs and Dachauses scattered across America is a definite aspect of the oppressor's controlled environment. They know that through isolation, through the systematic removal, inclusion, or manipulation of key sensory stimuli, they can attack a prisoner's mind and reduce him or her to a warped, subservient state characterized by feelings of lethargy, listlessness and hopelessness . . . in short, a prisoner develops the feeling of being more dead than alive.

They combine the practice of tampering with sensory stimuli with a deficient diet, a diet lacking key nutrients indispensable to the proper functioning of a well-integrated personality. The diet consists of meals that have acceptable appearances, but are nutritiously deficient, and after having eaten a few meals one finds oneself getting hungrier and feeling lethargic. Being on such a diet promotes depression and ultimately gives rise to thoughts of self-destruction. All of this is intentional and all of this is based upon a very clear scientific program, one of the best programs their "think tanks" could devise. On this, as in all other areas, they know exactly what they are doing; they know precisely what their experiments, their scientific applications, will entail. In this, as in other areas, they are again in

violation of international standards.[9]

It is clear, unequivocally clear, that this is a most cruel brand of psychological and emotional torture that is a violation of human rights and violates the U.S. Constitution prohibition against cruel and unusual punishment. These measures rival even the methods used by Nazi Germany. Right now, there are literally thousands of people being subjected to this program. It is an essential feature of the American penal system.[10]

The penal system is designed to break minds, to create warped and aberrated personalities, and isolation and sensory deprivation play a most singular and unique role in this.[11]

In general, all prisoners are targeted. Even the staff themselves become victimized by the same system they blindly seek to uphold. You cannot dehumanize people without yourself becoming dehumanized in the process. Yes, all prisoners are targeted, and the harshness of their treatment varies only in degree with the most severe treatment being meted out to those with some political consciousness or to those who are in prison for political offenses. They concentrate extra hard on the political prisoner because the political prisoner has the clearest understanding about the true nature of things, about the exploitative relationships that prevail. Accordingly, they concentrate extra hard on the political prisoner because she or he has the greatest potential for awakening and organizing the rest of the prisoners.

So isolation and sensory deprivation have always played a unique role in the government's perennial war on the political prisoner. Through isolation and sensory deprivation, through being confined within a limited space, through the denial of privacy, lack of natural light and fresh air, through the lack of intellectual stimulation, lack of comradeship, through the lack of undisturbed sleep, lack of proper health care, lack of educational and recreational outlets, the lack of these things that contribute to fueling life reduces one to an existence of lifelessness.

This is war. This is a war of attrition, and it is designed to reduce prisoners to a state of submission essential for their ideological conversion. That failing, the next option in deadly sequence is to reduce the prisoners to a state of psychological incompetence sufficient to neutralize them as efficient, self-directing antagonists. That failing, the only option left is to destroy the prisoners, preferably by making them desperate enough to destroy themselves. The purpose of this isolation and sensory deprivation is to disrupt one's balance, one's inner equilibrium, to dehumanize the prisoner, to depersonalize him, to strip him of his unique individuality, pliant in the hands of his vicious captors.

We note that amongst the many effects of the process is the disruption of the biological time clock, neuropathic disorders, bio-chemical degeneration, depression, apathy, chronic rage reaction, defensive psychological withdrawal, loss of appetite (or the opposite extreme), weight loss, and the exacerbation of pre-existing medical problems.

These things are real, frighteningly real, as many, many documented cases prove. All of these things are part of a very clear scientific program operated by the government, and it is designed to crush, dehumanize, and decimate those held captive.

This implacable, relentless attack by the United States Government is a very clear violation of fundamental human rights. These violations constitute an issue we must all hasten to confront. This terrible malady is already in its most advanced state, and everyone is affected by it. In addition, it is to the peril of the whole nation the longer people procrastinate on taking a just stand on this issue.

There are relevant international bodies that exist to uncover and redress human rights violations, all of which are highly salutatory.[12] But what we ask those of us who have been victimized is where are the strident voices of those international bodies as day in and day out, our rights, our dignity, are offended and trampled on over and over again? Is everyone so inexorably chained to partisan politics that they refrain from applying their conscience until given the nod by party bigwigs? The world can see what goes on in the tomb of America as Black people are being slowly strangled and suffocated to death and are reeling drunkenly under the tyrannical whip of oppression.

Yes, the world can see what goes on. Yet there remains a deadly chorus of silence, a conspiracy of silence.

We charge the American government with genocide. In clear, unequivocal terms, we charge the American government with genocide against the captive Black people in America who are perpetually under siege.

[Editor's note: While the U.S. has now signed the Geneva Conventions, it did so with procedural reservations.]

Counterinsurgency tactics are the political-military actions undertaken to forestall the inevitable fire of resistance before it is strikingly manifested. Of course, the use of such tactics demonstrates a clear recognition on the part of those governing the state that unjust conditions exist and will continue to exist into the foreseeable future. Additionally, once resistance has been manifested, counterinsurgency tactics are used to effectively destroy it.

Notes

1. When the term "political prisoner" is used in this paper it is not limited to those who are incarcerated as a result of their political beliefs, actions, or affiliations. The term includes persons in prison for social crimes who became politicized inside prison walls, and who oriented their lives around the struggle for social justice and national liberation. Such persons as Malcom X, George Jackson, the Attica Warriors, and the many other men and women of yesterday and today's struggle would be and are encompassed in the term.

2. Information concerning that historical meeting was found in the *Mind Manipulators* by Alan W. Scheflin. (See Library of Congress cataloging in publication data), additional information was found in a pamphlet on "Breaking Men's Minds" behavior control in Marion, Illinois. .

3. The drug thorazine (chlorpromazine) was the first anti-schizophrenia drug used in the United States and was generally given to prisoners in earlier years. This drug clearly produces a "Zombie-like-behavior" in the individual. Furthermore, it is used as the standard against which the newer drugs are compared. (See *Multimodal Behavior Therapy,* by Arnold A. Lazarus). Although, thorazine is still being used by prison officials today, new drugs called prolixin (fluphenazine) and haldol (haloperidol) are more preferably prescribed. Prolixin has a relative milligram potency of 70:1 to thorazine, and haldol as a potency of 100:1 to thorazine. Both drugs produce drastic mental and physical side effects.

4. According to the *Webster Third New International Dictionary*, the definition of "acid test" is a severe or crucial test of value authenticity or effectiveness.

5. A committee chaired by Senator Frank Church made an overall evaluation of the riots and rebellion that swept the United States during the development of the Liberation Movement in the '60s era.

6. Again the U.S. Government is clearly violating international standards by transferring Puerto Rican and Caribbean political prisoners into prisons deep inside the United States. The United Nations has established clear provisions against this sort of practice. On March 3, 1989, the U.N. General Assembly passed into effect resolution 43/173 which is called, "Body of principles for the protection of all persons under any form of detention or imprisonment." Under its listing of principles, specifically U.N. resolution 43/173, principle 20, the following is stated: "If a detained or imprisoned person so requests, he shall if possible be kept in a place of detention or imprisonment reasonably near his usual place of residence."

7. The exploitative and brutal control the United States wields over the Caribbean Islands is evinced by the cowardly attack on Grenada, the intervention in Manley's government during the election in Jamaica, and the continual colonization of the Virgin Islands. One salient consequence of the U.S. exploitative and brutal control over the Caribbean is the major influx of Rastafarian and progressive prisoners from the Islands into the United States penal system.

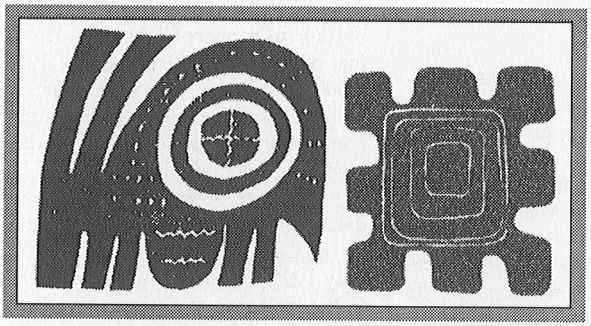
8. Through experimentation, deduction, and inference, all of which is empirically verifiable through repeated experimentation and arriving at the same results in conformance with the projected model or worked out archetype, their scientists are able to work out and develop the precise formula that will enable them to direct and control people's behavior with mathematical precision.

9. See *Covert Action Information Bulletin*, issue number 31, wherein Susan Rosenberg speaks about the horrendous conditions, she, Silvia Baraldini and Alejandrina Torres were confined under in the Lexington High Security Unit.

10. Resolution 43/173, Principle 22, passed into effect on March 19, 1989, states the following: No detained or imprisoned person shall, even with his consent, be subjected to any medical or scientific experimentation which may be detrimental to his health.

11. See "The Mind Manipulators" by Alan Scheflin. It contains information on some of the techniques used on prisoners. Here is a telling list of the chapters: Assaulting the Mind; Tampering with the Mind; Ruling the Mind; Amputating the Mind; Pruning the Mind; Rewiring the Mind; Blowing the Mind; Castrating the Mind; Robotizing the Mind.

12. We do not mean to imply that these international bodies have not done some outstanding work. We acknowledge that these bodies have monitored certain regions and countries, and they have called attention to human rights abuses occurring in those areas. What we do charge, however, and feel most strongly about, is that these same international bodies have been virtually silent with regard to the brutal treatment of Blacks in America, a people who have never had any real rights in America. We are calling attention to this neglect.



AFTERWORD: BLACK COALITION BUILDING AND U.S. POLICIES OF CONTAINMENT

Chinosole

As a whole, the contributions to "Schooling the Generations in the Politics of Prisons" help us understand the political nature of and possibilities for organizing against systemic confinement of prisoners, especially political prisoners, and by extension, confinement policies that warehouse populations of African descent in U.S. inner cities and in Caribbean nations. This commentary, then, is devoted to an analysis of the principles which can guide us to resist and reverse conditions of incarceration and containment by focussing on the history, theory, and strategies necessary to accomplish intra-Black coalition building.

Containment policies may be understood to have layered and overlapping effects that include:

1) Incarceration of Black political prisoners, including escaped prisoners in exile who remain committed to the Black liberation struggle, and social prisoners who have been politicized;

2) Containment policies of communities through warehousing poor Blacks in prisons;

3) Detention centers for inner city populations dislodged from affordable housing, and the use of drugs as a form of bodily containment freezing in time and place many women and men without the use of iron bars;

4) Containment policies of Caribbean countries with majority populations of people of African descent through soft invasions like that of Haiti in October of '94 and hard invasions like that of Panama in December of 1989 leaving 4,000 dead in the wake of a surgical strike for Noriega; and blockades, for example the economic warfare waged against socialist Cuba, constitute a containment policy.

5) Refugee detention centers that greet the darkest "hordes" escaping the starvation created by the Cuban blockade resulting from 1994 to May 1995 in a lock-down of more than 20,000 Cuban refugees at Guantanamo Bay (Cuban soil).

Afrikan peoples live within descending circles of hell. At the lowest tier of death row, nation-

wide prisons warehouse Black men who make up 40% of the inmates, about four times their rate in the general population. In the general prison population, one of the fastest growing prison populations, Black women, according to 1995 findings of the National Women's Law Center, constitute 46% of women prison inmates. When the death warrant for Mumia Abu-Jamal was announced on June 2, 1995, Gary Byrd of WLIB radio in New York spoke the truth: "We are all on death row. It is just a matter of time."

History and Analysis

The ideological fault lines between what Lennox Hinds terms "integrationalism" and "nationalism" play themselves out in complex ways over time. The term integrationalism should not be misconstrued as mere reformist integrationist politics. Hinds outlines this tendency as progressive or revolutionary integrationalism and multinationalism in contrast to revolutionary nationalism. I would insert progressive pan-africanism between the tendencies of Black nationalism and multinationalism to underscore the longstanding radical diaspora contacts between the West and Africa. In this way, we avoid essentialist universalism, that brand of internationalism which denies the potency of the African Diaspora for revolutionary change worldwide. Nationalism and integrationalism can be characterized as representing the extremes of a progressive global pan-africanist position emphasizing strategies of racial autonomy, as opposed to forms of active national U. S. radical integrationalism emphasizing strategies of class alliances. These terms do not have to be mutually exclusive and they overlap. If we searched as hard to coordinate these two tendencies of Black liberation movements in the United States as some do to unite across racial lines and national lines, our efforts to liberate prisoners and ourselves would accelerate. Parodied forms of nationalism by integrationists attribute the emphasis on race consciousness and land that is prominent in nationalist thought to idealism and essentialism. Now it is fashionable to speak of the naivete of "identity politics." On the other hand, nationalists can be overheard signifying about the self-hate and white love of integrationalists. They equate the open alliances integrationalists form with whites to the colonization of the mind. Too often underlying nationalist suspicion is the accusation of being a "traitor to the race."

In fact, historically, there are many kinds of nationalisms and just as many forms of integrationalism. No effective resistance inside the United States eliminates the cohesion basic to nationalism on the one hand, and the use of all available resources, material and human, basic to integrationalism on the other. Historically, one index of Black nationalist tendencies surfaced over and over again regarding the need for a land base inside or outside the United States. The integrationists' response to it mark recurring conflicts in strategy. As early as the eighteenth century a slave named Asa Asa begged not to be returned to the 'heathen' land of Africa, while Olaudah Equiano, sought (unsuccessfully) to repatriate poor Blacks from London to Sierra Leone. In the nineteenth century Martin Delany packs up for an unsuccessful voyage to Central America, while Frederick Douglass insists on the inviolability of African American ties with whites in the United States.

Early this century, nationalism has had complex community and global dimensions typified by Marcus Garvey, the leader of the largest political, economic, and cultural mass movement of Afrikans worldwide, while the political and intellectual Pan Africanism of William Edward Burghardt DuBois ushered in the Pan African Congresses of the first half of the twentieth century. During the twenties as editor of NAACP's *Crisis*, DuBois was steadfastly integrationist in his thinking about race relations in the United States and actively blocked the success of Garvey's Black Star Line. By the thirties, of course, DuBois described himself as nationalist in *The Dusk of Dawn* and by the '60s he was a communist. In hindsight we understand that they were both right and they were both wrong. Garvey never got to Africa, while DuBois died there. Panthers who had in the '60s shunned Garveyite "back to Africa" sentiment as "cultural nationalism" by the seventies ended up not just "returning to the source" but fleeing to that source as well. These are lessons in humility for all of us, integrationalist and nationalists alike.

In more recent years, the potential for a bridgeable gap between Martin Luther King and Malcolm X towards the end of their lives dominates our understanding of integrationalism and nationalism. Like the DuBois/Garvey split, the political tendencies of Martin Luther King and Malcolm X represent the extremes of radical U. S. integrationalism as opposed to progressive global pan-africanism that emphasizes strategies of racial autonomy. The legacy of the Black Liberation Army was to take Panther nationalist tendencies dominant on the East Coast and fuse them with the integrationalist or communalist tendencies of the West Coast. The BLA effectively fused revolutionary nationalism with multinational underground practices.

For many Afrikans the snake has become the embodiment of the devil because of missionary influence. However, in traditional African symbology, the snake is powerful and only potentially evil through actions. I imagine the python as representing two major directions of ideological struggle for Africans in the Diaspora, especially the United States. The ongoing conflicts of the liberation movement has grown like one mighty two-headed python: both heads reared to swallow the other in a threat of circular self-mutilation. This two-headed python has grown so at odds with itself that in an effort to correct perceived wrongdoing, each head attacks the other. Dismissal of another Black group's value may be in part at least a legacy of slavery and colonialism. For me, Garvey's wisest words were, "I know no national boundary where Blacks are concerned. The whole world is my province until Africa [and by extension Africans] is free." While DuBois inspires us with the complementary words: "The question is not integration or separation but liberation." Liberation is movement toward greater group agency which requires different levels of autonomy, alliance, and coalition-building in different historical moments. Somehow by paying attention to both snake heads, nationalist and integrationalist, we have two vital, undulating movements toward Black liberation.

Strategies and Practice

These well-known grooves of ideological difference between nationalists and integrationalists demolished alliances among Blacks in the '70s and were used to fracture groups like the Black Panther Party. In her book, *Inadmissible Evidence*,

Evelyn Williams demonstrates how an awareness by U.S. intelligence of these historical ideological splits were effectively exploited by COINTELPRO. *Inadmissible Evidence* provides a historical overview and analysis that signal strategies necessary to the success of the Black liberation movement in the United States with implications for the rest of the Americas. The book's incisive critique of the legal system and police repression reads like a survival manual for Black revolutionaries today. Williams quotes first and foremost this COINTELPRO objective from the 1975 Church Committee Report: "prevent a coalition of militant black nationalist groups." (p. 16) And as we know, that objective has been expanded now to include integrationist groups seeking to work with nationalists as indicated by the swiftness of the unseating of Benjamin Chavis from the directorship of the NAACP in 1994 after he met with the Black Muslims.

Later in the book, Evelyn Williams alerts us to another governmental directive aimed at destroying the Black liberation movement also quoted from the Church Committee Senate report: "the most effective countermeasure against extremist activity is criminal prosecution." (17) The Committee said nothing about *justifiable* criminal prosecution —just criminal prosecution, and in that directive lay the goal of labelling political prisoners as criminal. Besides splitting up Black nationalist groups and incarcerating organizers, there was, of course, a third strategy employed by the government and hinted at in officialese by the euphemism "neutralize." Over time it became clear that "neutralize" meant the physical elimination of leaders and organizers; assassinations, like that of Panthers Fred Hampton and Mark Clark, and Chaka Fuller of the Republic of New Africa. The shooting and arrest and conviction of Mumia Abu-Jamal is part of a violent retroactive continuum of police attacks on Panthers because Abu-Jamal left the Party sixteen years earlier and became one of few reporters courageous enough to report on police terrorism against the MOVE organization. As an ex-Panther in 1981, he seems to have been slated for retroactive neutralization, and when that failed for execution. When military attacks prove less than terminal, the police file stylized indictments in the courts charging Panthers and others like the MOVE organization with the crime of assault against police assailants. This script for prosecutorial legal arguments patterned the case against Assata Shakur (shot in the chest), Mumia Abu-Jamal (shot in the chest), Ramona Africa (nearly burned to death), and many others. In the case of Assata Shakur a wound, which lab tests proved could only have been suffered with arms raised in surrender, demonstrates that she would have had to shoot with a gun dangling from above her head as she surrendered, or more preposterously, first shoot accurately at the policeman and then put up her hands in surrender. Both unlikely scenarios. Nevertheless Assata Shakur, the assaulted, was prosecuted as the assailant. On the level of brothers on the block, this patterned prosecutorial script of assaulted become assailant took the form of a TV voiceover for the Rodney King videotape until the lie was exploded by the L. A. rebellion. The video-viewing Simi Valley jury judged that King, as seen being clubbed by the police, was, after all, a lumbering threat to the police.

Some thirty years since the attacks began by U. S. intelligence agencies, police departments, and the injustice system, our liberation efforts inside and outside the

United States remain ravaged. Disunity is now more openly encouraged even within our own ranks for ideological reasons. The symptoms of these ideological fault lines surface in practice by the extent to which groups work with or turn away from whites and by the importance placed on racism as a fundamental issue. In Africa and the Caribbean, the splits between strict marxist-leninists and socialist nationalists, which seem especially tragic in the light of the collapse of the Soviet Bloc, erupted into civil wars even before independence could be stabilized.

The effectiveness of figures in the late '60s and early '70s, like Angela Davis, Huey Newton, and the Republic of New Africa's Imari Obadele, was stunted when they were put in jail. These arrests were designed to tie up organizations in the courts and wage necessary but no-win confrontations by stalling proactive community organizing in an effort to "Free Angela" or "Free Huey." Groups' energies were diverted away from community organizing to create campaigns that naturally monopolized and exhausted them. Yes, individuals were eventually released, but groups were in disarray, forcing a gunshot wedding between the monied white liberals and some community-based African American groups who had not yet been amply solidified. Precipitously, some organizers were forced underground to become warriors in sheer self-defense against police terrorism; while less well known organizers, who once defended the community from police brutality, continue to sit in jail for decades and Black communities remain prey to the injustice system. Meanwhile, Rodney King after media manipulation is left pleading "Can't we all just get along?"

There are signs of life, though, in the Malcolm X grassroots organizations in New York and the community work of NAPO [New African People's Organization] in the South. Kathleen Cleaver as one of Geronimo ji Jaga's lead lawyers demonstrates the longevity and maturity of revolutionary commitment. U. S. activists still committed to revolutionary struggle remain in exile in Cuba, Africa, and Europe, cut off from their natural base communities but integral to other revolutions. The escaped Panthers, Mike Tabor (Cetewayo) and the now deceased Connie Matthews, worked tirelessly for SWAPO to help gain Namibian independence. Assata Shakur and Nehanda Abiadun are threatened most immediately by the strangulation of the Cuban economy through the blockade and indirectly by deportation. However, as long as Castro remains in power, these escapees, our modern day fugitive slaves, remain protected.

In spite of setbacks, betrayals, and personal tragedies, we have had shining victories. We must take stock of our successes. As a community and as activists, we were never meant to survive. Assata Shakur was never meant to live and write an autobiography that has been translated and read around the world. Evelyn Williams was never supposed to complete her autobiography that forces us to remember her niece in exile. We cannot forget that Assata is alive and well in Cuba, making her contribution to a resilient socialist country with a majority population of people of African descent. Her escape from prison in 1979 is still one of the most daring twentieth century feats that matches the flight to freedom of our greatest runaway slaves like Harriet Tubman and Frederick Douglass. The most recent attempt in April 1995 to thwart Black liberation was by the Fraternal Order of

Police through a deceased police officer's widow. She demanded of his publishers, Addison and Wesley, that they stop the distribution of Mumia Abu-Jamal's *Live From Death Row*. The F. O. P. failed miserably. Even though Abu-Jamal is under investigative review as this publication goes into print, his book is on sale in every major bookstore and selling swiftly. Its sales have topped 50,000. In spite of the boycott initiated against the academic publishing house of Addison and Wesley, Abu-Jamal manages to exercise first amendment rights, and what he describes as "the most lethal weapon of all," a tape recorder, penetrated the barbed wire of a super-max prison on June 4th when he was heard on KPFA in San Francisco. The "voice of the voiceless," as Abu-Jamal continues to be described, continues to speak loud and clear. And his son, Jamal, is making a national speaking tour on his behalf.

What to Do?

—Grab the stick they choose to beat us hardest with and turn it into a weapon of solidarity between organizers and community interests by using the amnesty of political prisoners issue to spearhead a challenge to the increased incarceration of Black populations in and out of the United States. Of equal political urgency is the creation of a huge Black base by fusing the issue of community crisis around incarceration with the issue of political prisoners. The demand for political prisoner amnesty must be linked to the condition of incarceration and methods of resisting it in every sector of the community. First, we must work inside communities to identify the conditions of families of prisoners, explicitly and consciously political or not. Then, educate the community and ourselves as part of the community about the effects of incarceration and methods of resisting it. Finally, provide needed services to families of prisoners and ex-prisoners without getting seduced by anti-poverty type social service programs.

Before reaching out to white groups and white lawyers, we must prioritize intra-Black autonomy and group coalescence. The call for intra-Black coalition building is not some romantic display of phenotype and epidermis. The reason for prioritizing Black solidarity across integrationalist and nationalist lines rests in our historical position as a people. We are still the group most likely to confront, disrupt, and detonate the system.

But before any of this can be put into practice, we must stop simply reacting to the COINTELPRO objective that got people tied up in the injustice system which detained, imprisoned, and eliminated political organizers. In the '70s and '80s organizers had to drop community work, go underground and into exile, and engage mainly in self-defense legal and military actions, leaving our communities to the mercilessness of police brutality. As recently as June, 1995, a San Franciscan man was beaten by police on the street. Soon after Aaron Williams was pronounced dead. Defending the community against police brutality is where the Panther Party took off. We must follow in those footsteps. Their resistance to police brutality was the line of demarcation which promised to end the abuse of imprisonment, and today even more police state repression will galvanize resistance on many levels.

Government intelligence task forces have yet to understand, though, that there

is no end to the resisters for which they must build prisons. Prisons are not really warehouses but hothouses of some of the most potentially revolutionary organizers among us as borne out in this very publication.

True, our sixties revolutionaries were never meant to survive. But Assata Shakur, like many thousands NOT GONE, has lived to tell it. In this volume Sundiata Acoli, Sanyika Shakur, Ramona Africa and other activists live to tell it. The necessity to resist frontal attacks by U. S. government law enforcement agencies makes possible powerful organizing strategies. The greatest promise lies in the necessity to assess and coordinate national and global strategies of groups that rely heavily on principles of racial autonomy with those that stress extra-racial coalitions. Nationalists must seek out methods of cooperation with integrationalist groups, and even with Blacks in predominantly white organizations provided these groups enter the coalition or network with a strong base. These kinds of alliances, networks, and coalitions must work out mutually respectful protocol to avoid shoving one group's position down the throats of others, like the self-mutilating two-headed python. These protocol agreements must be thought out and talked out before coalitions begin. Most urgently, we must fuse the political prisoner organizing efforts with community-based efforts to withstand the warehousing of our young. We cannot afford to split hairs over who is and who is not a political prisoner. Evelyn Williams reminds us "that all African American prisoners are political prisoners, whether or not they label themselves as such, because of the circumstances that got them into jail as well as the harshness of sentencing applied to them." (p. 83) Finally, there is an urgency to internationalize networks to include the Caribbean basin. Internment of Haitian and Cuban refugees in the United States is not just some metaphorical form of imprisonment. It is the extension of patterns of incarceration and containment to the populations of the Caribbean Diaspora begun in African American inner cities. So that ex-U.S. political prisoners protected in Cuba are at one and the same time incarcerated along with those populations, and Haitians and Cubans dislodged from their homelands to the metropole of U. S. cities are potentially high-priority communities for alliance.

Prison is not simply where our political leaders and organizers went, but where too many young people reside. The policy of containment utilized in and outside of the United States is the core of our resistance through re-immersion in community politics. Again, at the crux of the oppression lies the source of our liberation. By focussing a broadly based amnesty drive for African American political prisoners inclusive of Black social prisoners, we can rebuild a meaningful nationwide base and return to the directive of Malcolm X to free ourselves by any means necessary. When we began building bases in the community for political education, Black studies, and breakfast programs, we did not realize that this action was more threatening than any gun because our communities gave the guns, that were carried in self-defense, credibility. The reality of Black community mobilization will challenge, confront, and extract change from the system. Such a community can spearhead revolution inside the United States, a prerequisite for revolution in the Caribbean and globally. "Without a truly internationalist component, nationalism [is] reactionary." (*Assata*, p. 267) In other words, to

paraphrase a recent statement by Assata Shakur at a 1993 Women in the Diaspora conference, we must be nationalists *and* internationalists.

Works Consulted

Abu-Jamal, Mumia, *Live from Death Row*, Addison-Wesley Publishing Co., 1995.

DuBois, William Edward, *Writings*, The Library of America, 1986.

Harding, Vincent, *There Is a River: The Black Struggle for Freedom in America*, Harcourt Brace Javanovich, 1981.

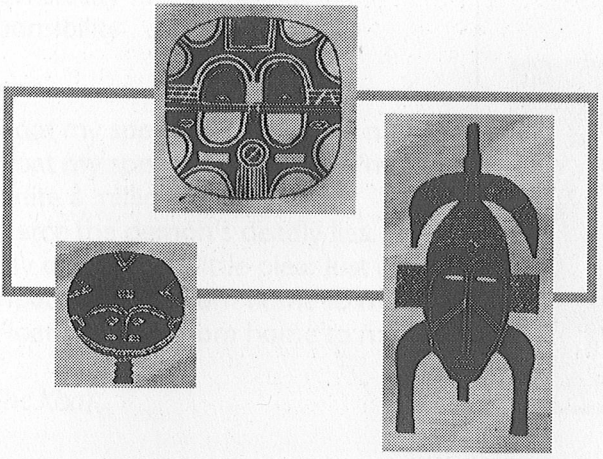
Jacques-Garvey, Amy, *Philosophy and Opinions of Marcus Garvey*, Atheneum, 1992.

Sales, William W., *From Civil Rights to Black Liberation: Malcolm X and the Organization of Afro-American Unity*, South End Press, 1994.

Williams, Evelyn, *Inadmissible Evidence: The Story of the African-American Trial Lawyer who Defended the Black Liberation Army*, Lawrence Hill Books, 1993.

Shakur, Assata, *Assata: An Autobiography*, Lawrence Hill Books, 1987.

Special thanks to Evelyn Williams for sharing parts of Lennox Hinds' unpublished manuscript.



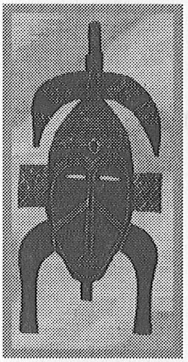
Shipped my body, not my soul.
Shipped my body, not my soul.
My soul waived "good-bye" to me.
Said we'd unite when I was free.
Liberty is now my goal since they
Shipped my body, not my soul.
Shipped my body, not my soul.

Keep the children wise and watchful.
Keep the children wise and watchful.
Monsters stay up all the night
And plot to fill their lives with fright.
Dress them in your best insight and
Keep the children wise and watchful.

My responsibility . . .
My responsibility . . .
My responsibility is to set my family free.
Pieces of a broken bone,
Splinters, we are so alone.
Gluing up the family tree, that's
My responsibility . . .
My responsibility . . .

* * *

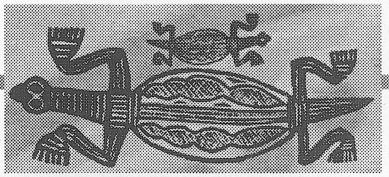
Float my spear from home to me.
Float my spear from home to me.
Unite a million billion eyes.
Pierce the demon's deadly lies.
My determined little plea: Just
Float my spirit from home to me.
Float my spirit from home to me



(from *The Kha*)

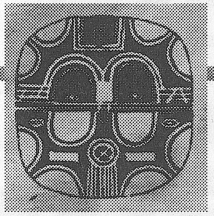
In terms of support for political prisoners and those being sought by the police and/or FBI, CIA, Joint-Terrorist Task Force, there's very little support from our community . . . . there's very little community support for the political prisoners, of war, political exiles, and/or their families. I think that is something that is on us, because we have not organized in a manner that our community understands why . . . they exist. Number two . . . what is our responsibility to them? Our job, as political beings, those of us who understand the nature of our struggle, those of us who understand our political prisoners and POW's, have a responsibility to begin to do everyday support work around it. It's not enough for us to just talk about political prisoners –we've got to organize around them. We've got to, in our organizations, begin to support their families.

–from an interview with Nehanda Abiodun in Wazo Weusi, Vol. 2, Number 1, Sping 1995. She is a political prisoner in exile in Cuba.



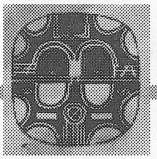
We must create shields that protect us and spears that penetrate our enemies, Black people must learn how to struggle by struggling. We must learn by our mistakes.

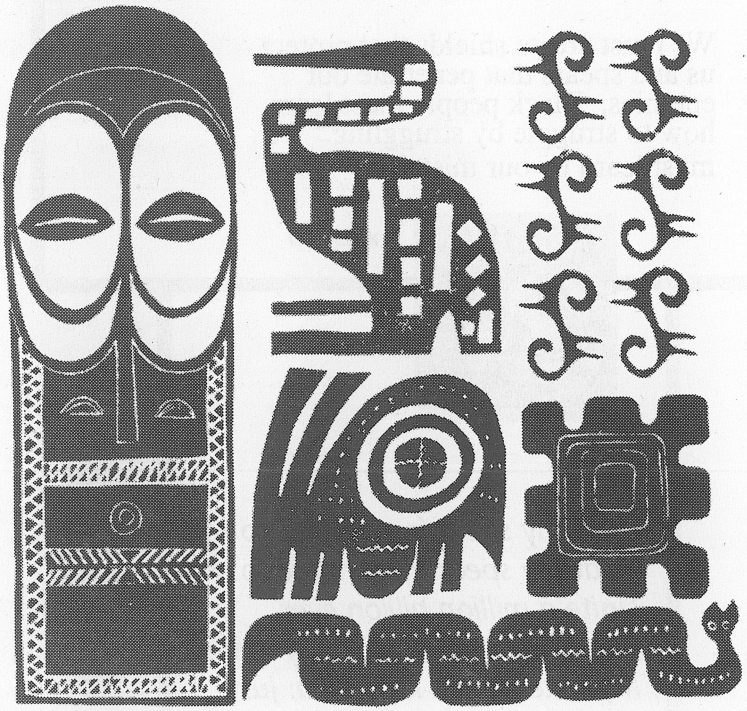
Assata



Float my spear from home to me.
Float my spear from home to me.
Unite a million billion eyes.
Pierce the demon's deadly lies.
My determined little plea: Just
Float my spirit from home to me.
Float my spirit from home to me

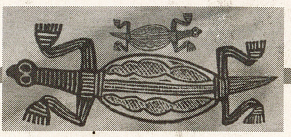
(from *The Kha*)





What more can I say? I wouldn't be here today, if the ol' school didn't pave the way.

–*from* "Me Against the World" *album Tupac Shakur*



Featuring

Mumia Abu-Jamal, journalist on death row
Assata Shakur, ex-political prisoner based in Cuba
Sanyika Shakur, best-selling author of *Monster*
Evelyn Williams, Black Liberation Army lawyer
Political Prisoners: Sundiata Acoli, Mutulu Shakur, and Jalil Muntaquim
Ramona Africa, Philadelphia MOVE organization
Erskine Johnson, artist on death row

The editor, Chinosole, is an activist/scholar who holds a doctorate in comparative literature and publishes criticism on Black women's narratives and slave narratives. She teaches at San Francisco State University.

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